

VIRGINIA ACTS OF ASSEMBLY -- 2011 SESSION

CHAPTER 511

An Act to amend the Code of Virginia by adding sections numbered 16.1-69.48:1.02 and 17.1-275.11:1, relating to fee paid by person convicted when computer analysis required.

[H 2449]

Approved March 24, 2011

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding sections numbered 16.1-69.48:1.02 and 17.1-275.11:1 as follows:

§ 16.1-69.48:1.02. Additional fee assessed for conviction requiring computer analysis.

In addition to the fees provided for by § 16.1-69.48:1, upon a finding of guilty of any charge or charges in which any computer forensic analysis revealed evidence used at trial of a defendant, the defendant may be assessed costs in an amount equal to the actual cost of the computer forensic analysis not to exceed \$100 for each computer analyzed by any state or local law-enforcement agency. Upon motion and submission to the court of an affidavit by the law-enforcement agency setting forth the number of computers analyzed and the total amount of costs requested, the court shall determine the appropriate amount to be assessed and order such amount paid to the law-enforcement agency.

§ 17.1-275.11:1. Additional fee assessed for conviction requiring computer analysis.

In addition to the fees provided for by §§ 17.1-275.1 through 17.1-275.5, 17.1-275.7, 17.1-275.8, and 17.1-275.9, upon a finding of guilty of any charge or charges in which any computer forensic analysis revealed evidence used at trial of a defendant, the defendant may be assessed costs in an amount equal to the actual cost of the computer forensic analysis not to exceed \$100 for each computer analyzed by any state or local law-enforcement agency. Upon motion and submission to the court of an affidavit by the law-enforcement agency setting forth the number of computers analyzed and the total amount of costs requested, the court shall determine the appropriate amount to be assessed and order such amount paid to the law-enforcement agency.