

# VIRGINIA ACTS OF ASSEMBLY -- 2015 SESSION

## CHAPTER 635

*An Act to amend and reenact § 19.2-271 of the Code of Virginia, relating to testimony of certain judicial personnel.*

[S 794]

Approved March 26, 2015

**Be it enacted by the General Assembly of Virginia:**

**1. That § 19.2-271 of the Code of Virginia is amended and reenacted as follows:**

**§ 19.2-271. Certain judicial officers incompetent to testify under certain circumstances; exceptions (Supreme Court Rule 2:605 derived from this section).**

No judge shall be competent to testify in any criminal or civil proceeding as to any matter which came before him in the course of his official duties.

~~No~~ *Except as otherwise provided in this section, no* clerk of any court, magistrate, or other person having the power to issue warrants, shall be competent to testify in any criminal or civil proceeding, ~~except proceedings wherein the defendant is charged with perjury,~~ as to any matter which came before him in the course of his official duties. Such person shall be competent to testify in any criminal proceeding wherein the defendant is charged *with perjury or* pursuant to the provisions of § 18.2-460 or in any proceeding authorized pursuant to § 19.2-353.3. Notwithstanding any other provision of this section, any judge, clerk of any court, magistrate, or other person having the power to issue warrants, who is the victim of a crime, shall not be incompetent solely because of his office to testify in any criminal or civil proceeding arising out of the crime.