

VIRGINIA ACTS OF ASSEMBLY -- 2017 SESSION

CHAPTER 673

An Act to amend and reenact § 19.2-52 of the Code of Virginia, relating to DUI; search warrants for blood withdrawals.

[S 1564]

Approved March 20, 2017

Be it enacted by the General Assembly of Virginia:

1. That § 19.2-52 of the Code of Virginia is amended and reenacted as follows:

§ 19.2-52. When search warrant may issue.

Except as provided in § 19.2-56.1, search warrants, based upon complaint on oath supported by an affidavit as required in § 19.2-54, may be issued by any judge, magistrate or other person having authority to issue criminal warrants, if he be satisfied from such complaint and affidavit that there is reasonable and probable cause for the issuance of such search warrant.

An application for a search warrant to withdraw blood from a person suspected of violating § 18.2-266, 18.2-266.1, 18.2-272, 29.1-738, 29.1-738.02, or 46.2-341.24 shall be given priority over any pending matters not involving an imminent risk to another's health or safety before such judge, magistrate, or other person having authority to issue criminal warrants.