

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend and reenact § 19.2-11.11 of the Code of Virginia, relating to victim's right to*
3 *notification of scientific analysis information.*

4 [S 1501]

5 Approved

6 **Be it enacted by the General Assembly of Virginia:**7 **1. That § 19.2-11.11 of the Code of Virginia is amended and reenacted as follows:**8 **§ 19.2-11.11. Victim's right to notification of scientific analysis information.**

9 A. In addition to the rights provided under Chapter 1.1 (§ 19.2-11.01 et seq.), a victim of sexual
10 assault, a parent or guardian of a victim of a sexual assault who was a minor at the time of the offense,
11 or a ~~close relative~~ *the next of kin* of a deceased victim of sexual assault shall have the right to request
12 and receive information from the law-enforcement agency regarding (i) the submission of any physical
13 evidence recovery kit for forensic analysis that was collected from the victim during the investigation of
14 the offense; (ii) the status of any analysis being performed on any evidence that was collected during the
15 investigation of the offense; and (iii) the results of any analysis, unless disclosing this information would
16 interfere with the investigation or prosecution of the offense, in which case the victim, parent, guardian,
17 or ~~relative~~ *next of kin* shall be informed of the estimated date on which the information may be
18 disclosed, if known.

19 B. *In the case of a physical evidence recovery kit that was received by a law-enforcement agency*
20 *prior to July 1, 2016, and that has subsequently been submitted for analysis, the victim, a parent or*
21 *guardian of a minor victim, or the next of kin of a deceased victim shall be notified by the*
22 *law-enforcement agency of the completion of the analysis and shall, upon request, receive information*
23 *from the law-enforcement agency regarding the results of any analysis, unless disclosing this*
24 *information would interfere with the investigation or prosecution of the offense, in which case the*
25 *victim, parent, guardian, or next of kin shall be informed of the estimated date on which the information*
26 *may be disclosed, if known. A good faith attempt to locate the victim, a parent or guardian of a minor*
27 *victim, or the next of kin of a deceased victim shall be made if a current address for the victim, a*
28 *parent or guardian of a minor victim, or the next of kin of a deceased victim is unavailable.*

29 C. The victim, parent, guardian, or ~~relative~~ *next of kin* who requests to be notified under subsection
30 A ~~must~~ *shall* provide a current address and telephone number to the attorney for the Commonwealth and
31 to the law-enforcement agency that is investigating the offense and keep such information updated.

32 *The victim, parent, guardian, or next of kin who requests to be notified under subsection B may*
33 *provide a current address and telephone number to the attorney for the Commonwealth and to the*
34 *law-enforcement agency that is investigating the offense and keep such information updated.*

35 D. *Nothing contained in this section shall require a law-enforcement agency to disclose any*
36 *information regarding the results of any analysis to a parent or guardian of a minor victim or to the*
37 *next of kin of a deceased victim if such parent, guardian, or next of kin is the alleged perpetrator of the*
38 *offense.*

ENROLLED

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