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HOUSE BILL NO. 156

Offered January 10, 2018

Prefiled December 20, 2017

A *BILL to amend and reenact § 19.2-269 of the Code of Virginia, relating to convicts as witnesses; limitation on impeachment evidence.*

Patrons—McQuinn, Bagby, Carter, Plum, Simon and Tyler; Senator: Vogel

Referred to Committee for Courts of Justice

Be it enacted by the General Assembly of Virginia:

1. That § 19.2-269 of the Code of Virginia is amended and reenacted as follows:

§ 19.2-269. Convicts as witnesses (Supreme Court Rule 2:609 derived from this section).

A person convicted of a felony or perjury shall not be incompetent to testify, but the fact of conviction may be shown in evidence to affect his credit. *However, the fact that a person has been convicted of a crime may not be introduced to affect the credit of the person if more than 10 years have passed from the date of the conviction or the person's release from incarceration, whichever is later, unless (i) the probative value of the evidence of such conviction substantially outweighs its prejudicial effect and (ii) the party seeking to introduce the fact of the conviction into evidence provides reasonable written notice to the other party of the intent to introduce evidence of such conviction.*

INTRODUCED

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