

LD6907809

HOUSE BILL NO. 1363

Offered January 25, 1994

A BILL to amend and reenact § 2.1-190.1 of the Code of Virginia and to repeal § 2.1-234 of the Code of Virginia, relating to authority to certify official copies of canceled checks and notice to banks of the issuance of duplicate warrant checks.

Patrons—Dudley, Cantor, Crouch, Forbes, Griffith, Hamilton, Ingram, Katzen, Kidd, Kilgore, Marshall, May, Purkey, Ruff, Sherwood, Tata and Wilkins; Senators: Chichester and Hawkins

Referred to Committee on Corporations, Insurance and Banking

Be it enacted by the General Assembly of Virginia:**1. That § 2.1-190.1 of the Code of Virginia is amended and reenacted as follows:**

§ 2.1-190.1. Admissibility of reproductions of checks in evidence; compliance with subpoena.

A. A reproduction of any check or draft drawn by the Treasurer of Virginia, when satisfactorily identified, is as admissible in evidence as the original itself in any judicial or administrative proceeding, civil or criminal, whether the original is in existence or not and a satisfactorily identified enlargement of such reproduction is likewise admissible. The introduction of a reproduced check or draft or of an enlargement thereof does not preclude admission of the original. Any such check or draft, reproduction or enlargement purporting to be sealed, ~~or~~ sealed and signed, or signed alone by the State Treasurer or on his behalf by a ~~designated~~ *an* employee of the ~~Department of Treasury~~ *Commonwealth of Virginia designated by the State Treasurer*, may be considered satisfactorily identified and admitted as evidence, without any proof of the seal or signature, or of the official character of the person whose name is signed to it.

B. The State Treasurer and each employee of the ~~Department of Treasury~~ *or an employee of the Commonwealth of Virginia designated by the State Treasurer*, when served with any summons, subpoena, subpoena duces tecum or order, directing him to produce any check or draft kept by or in the possession of the ~~Department of Treasury~~ *any agency or institution of the Commonwealth*, may comply therewith by certifying a reproduction or enlargement thereof in accordance with the preceding subsection and mailing such reproduction or enlargement in a sealed envelope to the clerk of court. Upon good cause shown, any court may direct the Treasurer or ~~any employee of the Department of Treasury~~ *an employee of the Commonwealth of Virginia designated by the State Treasurer* to appear personally, notwithstanding any other provision of this section.

2. That § 2.1-234 of the Code of Virginia is repealed.

INTRODUCED

HB1363