

1995 SESSION

INTRODUCED

LD8562322

HOUSE BILL NO. 1618

Offered January 12, 1995

A *BILL* to amend the Code of Virginia by adding a section numbered 19.2-270.7, relating to admissibility of telephone records.

Patrons—Kilgore and Phillips

Referred to Committee for Courts of Justice

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding a section numbered 19.2-270.7 as follows:

§ 19.2-270.7. Admissibility of telephone records.

A. In any proceeding for any criminal offense, the records of any telephone company shall be admissible provided that a Certificate of Authenticity accompanies the records. The Certificate of Authenticity shall recite that (i) the records are the business records of the telephone company, (ii) the information contained in the records is information made and maintained in the company's regular course of business, (iii) the records being produced contemporaneously with the Certificate of Authenticity constitute the complete records as described in the subpoena or order served on the telephone company, (iv) the person who is certifying the records is authorized by the company to produce the records described in the subpoena or court order and (v) the records are accurate copies of the company's records.

B. If either the Commonwealth or the defendant desires to introduce records pursuant to subsection A, the moving party shall notify the opposing party at least seven days prior to trial of its intention to do so and make the records available for inspection by the opposing party.

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