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SENATE BILL NO. 263

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the House Committee for Courts of Justice
on March 4, 1996)

(Patron Prior to Substitute—Senator Earley)

A BILL to amend the Code of Virginia by adding in Article 2.1 of Chapter 32 of Title 2.1 a section numbered 2.1-434.13, relating to the Division of Forensic Science.

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding in Article 2.1 of Chapter 32 of Title 2.1 a section numbered 2.1-434.13 as follows:

§ 2.1-434.13. Testimony in civil cases.

In any civil proceeding in which the Commonwealth is not a party, whenever an employee of the Division of Forensic Science is compelled to attend and testify as an expert and thereafter gives testimony as an expert regarding tests, analyses or other aspects of his official duties, the Division shall be entitled to (i) reasonable compensation for the actual time the employee spends testifying or preparing to testify and (ii) reimbursement for mileage and other reasonable travel expenses incurred by the employee in testifying or preparing to testify. The compensation and expenses shall be paid to the Division by the party requesting the testimony and the amount of such compensation shall be determined by the court.

HOUSE SUBSTITUTE

SB263H1