

## 1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend and reenact § 19.2-165.1 of the Code of Virginia, relating to sexual assault; payment*  
3 *of medical expenses.*

4 [S 1049]

5 Approved

6 **Be it enacted by the General Assembly of Virginia:**7 **1. That § 19.2-165.1 of the Code of Virginia is amended and reenacted as follows:**

8 § 19.2-165.1. Payment of medical fees in certain criminal cases.

9 All medical fees involved in the gathering of evidence for cases involving rape, attempted rape, child  
10 molestation, the taking of indecent liberties with children, sodomy, forcible sodomy, incest, inanimate  
11 ~~sexual~~ or animate object sexual penetration, sexual battery, *marital sexual assault* and aggravated sexual  
12 battery shall be paid by the Commonwealth out of the appropriation for criminal charges, provided that  
13 any medical treatment, examination, or service rendered be performed by a physician or facility  
14 specifically designated by the attorney for the Commonwealth in the city or county having jurisdiction  
15 of such case for such a purpose. If no such physician or facility is reasonably available in such city or  
16 county, then the attorney for the Commonwealth may designate a physician or facility located outside  
17 and adjacent to such city or county.

18 Where there has been no prior designation of such a physician or facility, medical fees shall be paid  
19 out of the appropriation for criminal charges upon authorization by the attorney for the Commonwealth  
20 of the city or county having jurisdiction over the case. Such authorization may be granted prior to or  
21 within forty-eight hours after the medical treatment, examination, or service rendered.

ENROLLED

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