

2010 SESSION

INTRODUCED

10101883D

SENATE BILL NO. 494

Offered January 13, 2010

Prefiled January 13, 2010

A BILL to amend the Code of Virginia by adding in Article 1 of Chapter 16 of Title 19.2 a section numbered 19.2-271.4, relating to the admissibility of certain business records in criminal proceedings.

Patron—Hurt

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 in Article 1 of Chapter 16 of Title 19.2 a section numbered 19.2-271.4 as follows:

§ 19.2-271.4. Admissibility of records concerning electronic communication service or remote computing service.

Written records or other information of a provider of electronic communication service or remote computing service that pertain to a subscriber to or customer of such service, excluding the contents of electronic communications, shall be received as prima facie evidence of the facts therein stated if, at any trial or hearing, such records or information are accompanied by an affidavit made, under oath, by the custodian of such records or information affirming that such records or information are regularly prepared and relied upon in the transaction of business by the provider.

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