

# VIRGINIA ACTS OF ASSEMBLY -- 2014 SESSION

## CHAPTER 78

*An Act to amend the Code of Virginia by adding a section numbered 17.1-128.1, relating to recording evidence and incidents of trial in misdemeanor cases.*

[H 704]

Approved March 3, 2014

**Be it enacted by the General Assembly of Virginia:**

**1. That the Code of Virginia is amended by adding a section numbered 17.1-128.1 as follows:**

***§ 17.1-128.1. Recording evidence and incidents of trial in certain misdemeanor cases.***

*In any misdemeanor case in circuit court for which no recording verbatim of the evidence and incidents of trial either by a court reporter or by mechanical or electronic devices approved by the court will be used, the court shall allow the defendant, the Commonwealth, or both to record the evidence and incidents of trial by mechanical or electronic device to aid counsel in producing a thorough, complete, and accurate written statement of facts in lieu of transcript for purposes of any appeal. The recording shall not be made a part of the record unless otherwise permitted.*