

## 1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

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

4  
5 Approved

[H 704]

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

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

8 ***§ 17.1-128.1. Recording evidence and incidents of trial in certain misdemeanor cases.***

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

ENROLLED

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