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SENATE BILL NO. 709**AMENDMENT IN THE NATURE OF A SUBSTITUTE**

(Proposed by the Senate Committee on Finance
on February 3, 2015)

(Patron Prior to Substitute—Senator Edwards)

A BILL to amend and reenact § 19.2-249.2 of the Code of Virginia, relating to venue for prosecution of computer and other crimes.

Be it enacted by the General Assembly of Virginia:

1. That § 19.2-249.2 of the Code of Virginia is amended and reenacted as follows:

§ 19.2-249.2. Venue for prosecution of computer and other crimes.

For the purpose of venue under (i) the Virginia Computer Crimes Act (§ 18.2-152.1 et seq.), any violation of the article or (ii) § 18.2-386.1, any violation of the section shall be considered to have been committed in any county or city:

1. In which any act was performed in furtherance of any course of conduct that violated this article any provision listed above;

2. In which the owner has his principal place of business in the Commonwealth;

3. In which any offender had control or possession of any proceeds of the violation or of any books, records, documents, property, financial instrument, computer software, computer program, computer data, or other material or objects that were used in furtherance of the violation;

4. From which, to which, or through which any access to a computer or computer network was made whether by wires, electromagnetic waves, microwaves, optics or any other means of communication;

5. In which the offender resides; or

6. In which any computer that is an object or an instrument of the violation is located at the time of the alleged offense.