

# VIRGINIA ACTS OF ASSEMBLY -- 1996 SESSION

## CHAPTER 668

*An Act to amend and reenact § 8.01-390 of the Code of Virginia, relating to proof of lack of nonjudicial records.*

[S 52]

Approved April 6, 1996

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

**1. That § 8.01-390 of the Code of Virginia is amended and reenacted as follows:**

§ 8.01-390. Nonjudicial records as evidence.

A. Copies of records of this Commonwealth, of another state, of the United States, of another country, or of any political subdivision or agency of the same, other than those located in a clerk's office of a court, shall be received as prima facie evidence provided that such copies are authenticated to be true copies both by the custodian thereof and by the person to whom the custodian reports.

B. *An affidavit signed by an officer deemed to have custody of such an official record, or by his deputy, stating that after a diligent search, no record or entry of such record is found to exist among the records in his office is admissible as evidence that his office has no such record or entry.*