

1 **State of Arkansas**  
2 **79th General Assembly**  
3 **Regular Session, 1993**  
4 **By: Senator Malone**

# A Bill

**SENATE BILL 338**

## For An Act To Be Entitled

8 "AN ACT TO AMEND TITLE 14, CHAPTER 2, SUBCHAPTER 1 OF THE  
9 ARKANSAS CODE ANNOTATED TO AUTHORIZE THE USE OF MAGNETIC  
10 IMAGING OR OTHER SIMILAR TECHNOLOGIES FOR KEEPING AND  
11 REPRODUCING LOCAL PUBLIC RECORDS; TO AMEND ARKANSAS CODE  
12 §21-6-306 TO IMPOSE AN ADDITIONAL FEE OF ONE DOLLAR  
13 (\$1.00) IN RECORDING FEES FOR THE RECORDING OF ALL  
14 INSTRUMENTS TO FUND A MAGNETIC IMAGING OR OTHER SIMILAR  
15 TECHNOLOGY SYSTEM FOR KEEPING LOCAL PUBLIC RECORDS; AND  
16 FOR OTHER PURPOSES."

## Subtitle

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19 "AN ACT TO AUTHORIZE THE USE OF MAGNETIC IMAGING OR  
20 SIMILAR TECHNOLOGIES FOR KEEPING AND REPRODUCING LOCAL  
21 PUBLIC RECORDS."

22  
23 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

24  
25 SECTION 1. Arkansas Code Annotated § 14-2-201(a) is hereby amended to  
26 read as follows:

27 "(a) The head of any county or municipal department, commission,  
28 bureau, or board is hereby authorized to use magnetic imaging or other similar  
29 technologies for record keeping and may cause any or all records kept by the  
30 official, department, commission, or board to be photographed, microfilmed,  
31 photostated, or reproduced on film or by magnetic imaging or similar  
32 technologies."

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34 SECTION 2. Arkansas Code Annotated § 14-2-202(a) is hereby amended to  
35 read as follows:

1           "(a) A photostatic copy, photograph, microfilm, magnetic image or image  
2 by similar technologies, or photographic film of original records shall be  
3 deemed to be an original record for all purposes and shall be admissible in  
4 evidence in all courts or administrative agencies."  
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6           SECTION 3. Arkansas Code Annotated § 14-2-203 is hereby amended to read  
7 as follows:

8           "14-2-203. Disposal, etc. of copied records. Whenever photostatic  
9 copies, photographs, microfilms, magnetic images or images by similar  
10 technologies, or reproductions on films of public records shall be placed in  
11 conveniently accessible files and provision made for preserving, examining,  
12 and using them, the head of a county office or department or city office or  
13 department may certify those facts to the county court or to the mayor of a  
14 municipality, respectively, who shall have the power to authorize the  
15 disposal, archival storage, or destruction of the records."  
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17           SECTION 4. Arkansas Code § 21-6-306 is hereby amended to read as  
18 follows:

19           "21-6-306. *Recorders.*

20           *The uniform fees to be charged by the recorders in the various counties*  
21 *in this state shall be as follows:*

22           (1) *For recording deeds, deeds of trust, mortgages, release deeds,*  
23 *powers of attorney, and other recordable instruments, except as otherwise*  
24 *prescribed in this section, four dollars (\$4.00) for one (1) page, one (1)*  
25 *side only, and two dollars (\$2.00) for each additional page.*

26           (2) *For filing or recording all instruments other than those prescribed*  
27 *in subdivision (1) of this section which are normally placed on record in the*  
28 *recorder's office:*

- 29           (A) *Plats: when measurements exceed 8 1/2" x 14".....\$10.00*
- 30           (B) *Survey plats: 8 1/2" x 14" or smaller..... 6.00*
- 31           (C) *Materialman's lien and certificate of assessment... 6.00*
- 32           (D) *Notary bond ..... 6.00*
- 33           (E) *Foreign judgments ..... 6.00*
- 34           (F) *Writs of garnishment or execution of garnishment...10.00*
- 35           (G) *For entering satisfaction of record, marginal..... .50*

1           (3) For the funding of a magnetic imaging or similar technology for  
2 record keeping systems for the county to be used solely for that purpose, an  
3 additional fee of one dollar (\$1.00) per instrument shall be imposed for  
4 recording all instruments."  
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6           SECTION 5. All provisions of this act of a general and permanent nature  
7 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code  
8 Revision Commission shall incorporate the same in the Code.  
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10           SECTION 6. If any provision of this act or the application thereof to  
11 any person or circumstance is held invalid, such invalidity shall not affect  
12 other provisions or applications of the act which can be given effect without  
13 the invalid provision or application, and to this end the provisions of this  
14 act are declared to be severable.  
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16           SECTION 7. All laws and parts of laws in conflict with this act are  
17 hereby repealed.

18   /s/ Senator Malone  
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