

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

# A Bill

SENATE BILL

## For An Act To Be Entitled

8 "AN ACT TO AMEND ARKANSAS CODE 16-46-101 TO AUTHORIZE  
9 RECORD KEEPING ON OPTICAL DISCS; AND FOR OTHER PURPOSES."

### Subtitle

12 "TO AUTHORIZE RECORD KEEPING ON OPTICAL DISCS."

14 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

16 SECTION 1. Arkansas Code 16-46-101 is amended to read as follows:

17 "§16-46-101. Recordation of certain certified copies - Photographic  
18 copies of business and public records.

19 (a) (1) The clerk of any court of record may record any certified copy  
20 of any instrument by attaching the certified copy to his record book so as to  
21 make the copy be and become a part of the record to the extent that the copy  
22 cannot be detached, and the copy shall be legally recorded when the attachment  
23 has been made by the clerk. This subdivision shall apply to plats,  
24 blueprints, and photostatic copies only.

25 (2) The county recorders, clerks of courts of record, and any  
26 public officer whose duty it is to make public records are authorized to use  
27 and employ an approved system of photographic recording when provided with  
28 equipment necessary for such method of recording.

29 (b) (1) If any business, institution, member of a profession or calling,  
30 or any department or agency of government, in the regular course of business  
31 or activity has kept or recorded any memorandum, writing, entry, print,  
32 representation, or combination thereof, of any act, transaction, occurrence,  
33 or event, and in the regular course of business has caused any or all of the  
34 same to be recorded, copied, or reproduced by any photographic, photostatic,  
35 microfilm, microcard, miniature photographic, optical disks, or other process

1 which accurately reproduces or forms a durable medium for so reproducing the  
2 original, the original may be destroyed in the regular course of business  
3 unless its preservation is required by law.

4 (2) The reproduction, when satisfactorily identified, is as admissible in  
5 evidence as the original itself in any judicial or administrative proceeding  
6 whether the original is in existence or not.

7 (3) An enlargement or facsimile of the reproduction is likewise  
8 admissible in evidence if the original reproduction is in existence and  
9 available for inspection under direction of the court.

10 (4) The introduction of a reproduced record, enlargement, or facsimile  
11 does not preclude admission of the original."

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13 SECTION 2. All provisions of this act of a general and permanent nature  
14 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code  
15 Revision Commission shall incorporate the same in the Code.

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17 SECTION 3. If any provision of this act or the application thereof to  
18 any person or circumstance is held invalid, such invalidity shall not affect  
19 other provisions or applications of the act which can be given effect without  
20 the invalid provision or application, and to this end the provisions of this  
21 act are declared to be severable.

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23 SECTION 4. All laws and parts of laws in conflict with this act are  
24 hereby repealed.

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