

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas
2 83rd General Assembly
3 Regular Session, 2001

A Bill

SENATE BILL 571

4
5 By: Senator Critcher

For An Act To Be Entitled

9 AN ACT TO PROVIDE FOR THE STORAGE OF COUNTY AND
10 MUNICIPAL RECORDS IN OPTICAL, DIGITAL OR ELECTRONIC
11 FORMATS AND TO CONFORM TO ARKANSAS CODE 16-46-101
12 WITH RESPECT TO ADMISSIBILITY; AND FOR OTHER
13 PURPOSES.

Subtitle

16 TO PROVIDE FOR THE STORAGE OF COUNTY AND
17 MUNICIPAL RECORDS IN OPTICAL, DIGITAL OR
18 ELECTRONIC FORMATS AND TO CONFORM TO
19 ARKANSAS CODE 16-46-101 WITH RESPECT TO
20 ADMISSIBILITY.

21
22
23 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

24
25 SECTION 1. Arkansas Code 14-2-201 is amended to read as follows:
26 14-2-201. Authority - Requirements.

27 (a) The head of any county or municipal department, commission,
28 bureau, or board may cause any or all records kept by the official,
29 department, commission, or board to be photographed, microfilmed,
30 photostated, or reproduced on or by film, microcard, miniature photographic
31 recording, optical disc, digital compact disc, electronic imaging, or other
32 process which accurately reproduces or forms a durable medium for reproducing
33 the original when provided with equipment necessary for such method of
34 recording.

35 (b) At the time of reproduction, the agency head shall attach his
36 certificate to the record certifying that it is the original record, and the

1 certificate shall be reproduced with the original.

2 (c) ~~(1) The film or reproducing material shall be of durable material.~~

3 (2) The device used to reproduce the records ~~on the film or~~
4 ~~material~~ shall be such as to accurately reproduce and perpetuate the original
5 records in all details.

6
7 SECTION 2. Arkansas Code 14-2-202(a) is amended to read as follows:

8 (a) ~~A photostatic copy, photograph, microfilm, or photographic film of~~
9 ~~original records shall be deemed to be an original record for all purposes~~
10 ~~and shall be admissible in evidence in all courts or administrative agencies.~~
11 The reproduction made in accordance with § 14-2-201, when satisfactorily
12 identified, shall be admissible into evidence as provided in § 16-46-101 or
13 any other provision of law or court rules governing the admission of
14 evidence.

15
16 SECTION 3. Arkansas Code 14-2-203 is amended to read as follows:

17 14-2-203. Disposal, etc. of copied records.

18 Whenever ~~photostatic copies, photographs, microfilms, or reproductions~~
19 ~~on films~~ of public records have been made in accordance with § 14-2-201 shall
20 be and have been placed in conveniently accessible files or other suitable
21 format and provision has been made for preserving, examining, and using them,
22 the head of a county office or department or city office or department may
23 certify those facts to the county court or to the mayor of a municipality,
24 respectively, who shall have the power to authorize the disposal, archival
25 storage, or destruction of the records.