

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 987 Session of 2011

INTRODUCED BY ERICKSON, ROBBINS, EICHELBERGER, WOZNIAK AND
BLAKE, APRIL 25, 2011

REFERRED TO JUDICIARY, APRIL 25, 2011

AN ACT

1 Amending Title 42 (Judiciary and Judicial Procedure) of the
2 Pennsylvania Consolidated Statutes, further providing for
3 form of permanent recordation and for copies of destroyed
4 records.

5 The General Assembly of the Commonwealth of Pennsylvania
6 hereby enacts as follows:

7 Section 1. Sections 4323 and 4324 of Title 42 of the
8 Pennsylvania Consolidated Statutes are amended to read:

9 § 4323. Form of [permanent] recordation.

10 (a) In general.--Records may be reproduced in accordance
11 with subsection (c).

12 (b) Records of permanent value.--Records which are
13 classified as records of permanent value shall, prior to
14 destruction or other removal from the office of the person
15 having custody thereof, be processed in conformity with general
16 rules so that they may be reproduced [by any photostatic,
17 photographic, microphotographic, microfilm, video tape, magnetic
18 tape, or other mechanical process which produces a clear,
19 accurate and permanent copy, microcopy or reproduction of the

original, in accordance with standards not less than those approved for permanent records by the National Bureau of Standards.] in accordance with subsection (c).

(c) Means of reproduction.--Any photostatic, photographic, microphotographic, microfilm, microcard, miniature photographic, optical, electronic or other process, analog or digital, which accurately reproduces the original and forms secure and unalterable copies for recording, storing and reproducing the original in accordance with standards, policies and procedures for the creation, maintenance, transmission or reproduction of images of records approved by the governing authority may be utilized for reproducing records as authorized in accordance with this subchapter.

(d) Documents previously recorded, copied or recopied.-- Any document within the scope of this section and which previously has been recorded, copied or recopied also may be reproduced by processes authorized by this section.

§ 4324. Copies of destroyed records.

[The photostatic, photographic, microphotographic, microfilmed or otherwise reproduced] A copy of any record destroyed or disposed of as authorized pursuant to this subchapter, or a certified copy thereof, if produced in accordance with section 4323 (relating to form of recordation) shall be admissible in evidence in any matter, and shall have the same force and effect as though the original record had been produced and proved. It shall be the duty of the person who would have had custody of the original record, had it not been destroyed pursuant to law, to prepare enlarged, typed or photographic copies of such reproduced records whenever their production is required.

1 Section 2. This act shall take effect immediately.