

**"RECORDING AND COPYING OF POLITICAL SUBDIVISION RECORDS"**

**Act of May 9, 1949, P.L. 908, No. 250**

**CL. 65**

**AN ACT**

Relating to public records of political subdivisions other than cities and counties of the first class; authorizing the recording and copying of documents, plats, papers and instruments of writing by digital, photostatic, photographic, microfilm or other process, and the admissibility thereof and enlargements thereof in evidence; providing for the storage of duplicates and sale of microfilm and digital copies of official records and for the destruction of other records deemed valueless; and providing for the services of the Pennsylvania Historical and Museum Commission to political subdivisions. (Title amended Dec. 9, 2002, P.L.1565, No.205)

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

Section 1. Whenever any public officer of any political subdivision or agency thereof, including home rule municipalities, other than counties of the first class or agencies thereof and cities of the first class or agencies thereof, is required or authorized by law or otherwise to record or copy any document, the officers may do so by any digital, photostatic, photographic, microphotographic, microfilm, microcard, miniature photographic, optical, electronic or other process which accurately reproduces the original and forms a durable medium 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 County or Local Government Records Committees, as applicable, but not less than those standards, policies and procedures approved by the National Institute of Standards and Technology. Any document within the scope of this section and which previously has been recorded or copied may be reproduced by processes authorized by this section.

(1 amended Dec. 9, 2002, P.L.1565, No.205)

Section 2. Copies of records thus produced, or enlarged reproductions of copies of records thus produced, shall have the same effect, and be admissible in evidence in like manner and under the same conditions, as copies of original records produced in accordance with the law in effect immediately prior to the passage of this act.

Section 3. Roll and unitized microfilms and digital and imaged records shall be adequately identified in conformance with standards, policies and procedures approved by the County or Local Government Records Committees, as applicable. It shall be the responsibility of the custodian of the records copied to regulate and supervise the copying process and to inspect the resulting microcopies and digital and imaged records so as to satisfy the custodian that all copies are complete, accurate and

clearly legible. When any enlarged reproduction of such record is to be used as evidence, the reproduction shall contain, or have attached thereto, the signed and sealed attestation of the officer having the official custody of the record that the same is a true and correct copy thereof.

(3 amended Dec. 9, 2002, P.L.1565, No.205)

Section 4. (4 repealed Feb. 18, 1998, P.L.178, No.28)

Section 5. (5 repealed Feb. 18, 1998, P.L.178, No.18)

Section 6. Records which have been reproduced or copied in accordance with section one of this act or other records which are deemed valueless may be destroyed or otherwise disposed of in accordance with applicable laws and regulations or schedules and procedures relating to the destruction of public records approved by the County or Local Government Records Committees, as applicable.

(6 amended Feb. 18, 1998, P.L.178, No.28)

Section 6.1. (6.1 repealed Feb. 18, 1998, P.L.178, No.28)

Section 6.2. (6.2 repealed Feb. 18, 1998, P.L.178, No.28)

Section 7. (7 repealed Feb. 18, 1998, P.L.178, No.28)

Section 8. The executive director of the Pennsylvania Historical and Museum Commission may, at the executive director's discretion, make available the services of the Pennsylvania Historical and Museum Commission to political subdivisions of the Commonwealth for the purpose of digitizing, photographing or imaging public records upon such terms and conditions as the executive director may prescribe, which terms shall provide for the payment to, and reimbursement of, the Commonwealth for the reasonable cost of such services.

(8 amended Dec. 9, 2002, P.L.1565, No.205)

Section 9. The act, approved the twentieth day of May, one thousand nine hundred thirty-seven (Pamphlet Laws 739), entitled "An act authorizing the recording and copying of documents, plats, papers, and instruments of writing by photostatic, photographic or other mechanical process; and relating to the effect and use of such copies and records," is hereby repealed so far as it is inconsistent with the provisions of this act.

All other acts or parts of acts inconsistent with the provisions of this act are hereby repealed.