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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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SENATE BILL

No. 915 Session of  
2009

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INTRODUCED BY EICHELBERGER, ERICKSON, STOUT AND WOZNIAK,  
JUNE 5, 2009

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REFERRED TO JUDICIARY, JUNE 5, 2009

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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 [Records which are classified as records of permanent value  
11 shall, prior to destruction or other removal from the office of  
12 the person having custody thereof, be processed in conformity  
13 with general rules so that they may be reproduced by any  
14 photostatic, photographic, microphotographic, microfilm, video  
15 tape, magnetic tape, or other mechanical process which produces  
16 a clear, accurate and permanent copy, microcopy or reproduction  
17 of the original, in accordance with standards not less than  
18 those approved for permanent records by the National Bureau of  
19 Standards.] Any photostatic, photographic, microphotographic,

1 microfilm, microcard, miniature photographic, optical,  
2 electronic or other process which accurately reproduces the  
3 original and forms a durable medium for recording, storing and  
4 reproducing the original in accordance with standards, policies  
5 and procedures for the creation, maintenance, transmission or  
6 reproduction of images of records approved by the governing  
7 authority may be utilized for reproducing records as authorized  
8 in accordance with this subchapter. Any document within the  
9 scope of this section and which previously has been recorded,  
10 copied or recopied also may be reproduced by processes  
11 authorized by this section.

12 § 4324. Copies of destroyed records.

13       The photostatic, photographic, microphotographic,  
14 microfilmed, miniature photographic, optical, electronic or  
15 otherwise reproduced copy of any record destroyed or disposed of  
16 as authorized pursuant to this subchapter, or a certified copy  
17 thereof, shall be admissible in evidence in any matter, and  
18 shall have the same force and effect as though the original  
19 record had been produced and proved. It shall be the duty of the  
20 person who would have had custody of the original record, had it  
21 not been destroyed pursuant to law, to prepare enlarged, typed  
22 or photographic copies of such reproduced records whenever their  
23 production is required.

24       Section 2. This act shall take effect immediately.