

SHORT TITLE: Records; reproduction of public records; optical imaging; effective date.

STATE OF OKLAHOMA

1st Session of the 46th Legislature (1997)

SENATE BILL NO. 617

By: Robinson

AS INTRODUCED

An Act relating to records; amending 67 O.S. 1991, Section 301, which relates to reproduction and preservation of public records; authorizing optical imaging for certain purposes; updating certain references; simplifying style; eliminating gender distinctions; and providing an effective date.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 67 O.S. 1991, Section 301, is amended to read as follows:

Section 301. A. 1. Any public officer of the state or any county, public trust, authority or agency, city, municipality, district, or legal subdivision thereof, may cause any or all records, papers, or documents ~~kept by him~~ in the officer's custody to be photographed, microphotographed, or reproduced on film or optically imaged. The custodian of the records may permit any record to be removed from ~~his office~~ the location where otherwise kept for the purpose of photographic filming or optical imaging, and ~~his~~ the officer's responsibility for ~~their~~ care and return of the record shall continue during the times of ~~their~~ its removal ~~from the area controlled by the custodian of the records during photographic processes~~. The custodian of the records shall, before delivering any records for photographing ~~or~~, microphotographing, or optical

imaging, make a complete catalog list of the records to be ~~filmed~~
removed and retain the ~~same~~ list until the records are returned. ~~He~~
The custodian may require a bond, and shall require written receipt
identifying each record removed ~~from his custody~~. ~~Such photographic~~
~~film~~ Photographic or optical imaging processes shall comply with the
minimum standards of quality ~~for film, processing, and storage of~~
~~permanent photographic records~~ promulgated by the Archives and
Records Commission. ~~The device~~ Devices used to reproduce such
records ~~on such film~~ shall accurately reproduce the original thereof
in all details. ~~Such photographs, microphotographs, or photographic~~
~~film shall be deemed to be original records for all purposes,~~
~~including introduction in evidence in all courts or administrative~~
~~agencies. A transcript, exemplification, or certified copy thereof,~~
~~for all purposes recited herein,~~ A reproduction so made shall be
deemed to be a transcript, exemplification, or certified copy of the
original.

2. The original photographs, microphotographs, optical images,
or film shall be stored in a maximum security vault and only be
removed therefrom for the purpose of making copies thereof as the
custodian of the records may require. At the election of the
custodian of the records, however, the master negative or image may,
immediately upon being made, be deposited with the Oklahoma
Department of Libraries, which shall retain it in a maximum security
vault and furnish such copies thereof as may be required for the
purposes of the custodian of the records. The cost of any
photographic, microphotographic, or filming service or optical
imaging requested by and furnished to a state agency or subdivision
of government shall be paid to the Department of Libraries ~~rendered~~
on the basis of fee schedules established by the Archives and
Records Commission.

3. A copy of such photographs, microphotographs, optical
images, or reproductions on film properly certified and cataloged

shall be placed in conveniently accessible files, and provisions shall be made for preserving, examining, and ~~using the same,~~ ~~including reproduction of same~~ reproducing them. There shall be available for use by the public at least two devices for viewing, and at least one of said devices shall provide for reproducing the ~~photographic~~ records. Such copies shall be certified by their custodian as true copies of the originals, and the copies so certified shall have the same force and effect as the originals. A statement in writing describing the record and certifying it to be a true copy, and attached securely to the reproduction, will be deemed a sufficient certification. Any viewing ~~devices~~ device in use ~~at the time of the passage of this act~~ as of March 31, 1972, may continue to be used, ~~although whether or not~~ such device ~~does not~~ provide provides a reproducing system.

B. The provisions of this section shall not affect and are cumulative to the provisions of the Records Management Act, Section 201 et seq. of this title, and to Sections ~~564~~ 305 through ~~576~~ 317 of ~~Title 74 of the Oklahoma Statutes~~ this title, which relate to the Archives and Records Commission.

SECTION 2. This act shall become effective November 1, 1997.

46-1-0446

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