SB 77

THE STATE SENATE
Wednesday, February 14, 2001

Senate Bill No. 77

SENATE BILL NO. 77 - By: HELTON of the Senate and ASKINS of the House.

An Act relating to cities and towns; amending 11 O.S. 1991, Section 22-132, as amended by Section 1, Chapter 234, O.S.L. 1998 (11 O.S. Supp. 2000, Section 22-132), which relates to photographing or reproducing records for storage; authorizing the head of the municipality to have records stored on hard disk; providing an effective date; and declaring an emergency.

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

SECTION 1. AMENDATORY 11 O.S. 1991, Section 22-132, as amended by Section 1, Chapter 234, O.S.L. 1998 (11 O.S. Supp. 2000, Section 22-132), is amended to read as follows:

Section 22-132. A. The head of any municipal department, commission, bureau or board may have any or all records kept by the official, department, commission, bureau or board photographed, microphotographed, photostated, reproduced on film or stored on optical <u>or hard</u> disk. Such film or reproducing material shall be of durable material and the device used to reproduce such records on film or other material shall be such as to accurately reproduce and perpetuate the original records in all details.

B. The photostatic copy, photograph, microphotograph, photographic film or optical <u>or hard</u> disk of the original records shall be deemed to be an original record for all purposes, and shall

be admissible in evidence in all courts or administrative agencies. A facsimile, exemplification or certified copy thereof shall, for all purposes recited herein, be deemed to be a transcript, exemplification or certified copy of the original.

C. Whenever photostatic copies, photographs, microphotographs, reproductions on films or optical or hard disks shall be placed in conveniently accessible files and provisions made for preserving, examining and using same, the head of any municipal department, commission, bureau or board may certify those facts to the municipal governing body. Following such certification, the governing body may, by ordinance or resolution, authorize the disposal, archival storage or destruction of the original records and papers before the expiration of the retention period established pursuant to Section 22-131 of this title.

SECTION 2. This act shall become effective July 1, 2001.

SECTION 3. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

COMMITTEE REPORT BY: COMMITTEE ON GENERAL GOVERNMENT, dated 2-12-01 - DO PASS, As Coauthored.