

COMMITTEE BILL ANALYSIS

Bill: Senate Bill 372

Printer's No.: 295

Sponsor: Senator Smith

Prepared by: Gregg Warner

Synopsis: This bill amends the Judicial Code, Title 42 of the Pennsylvania Consolidated Statutes, expanding the authorized methods for recording and storing judicial records.

Summary: The provisions of Chapter 43 of the Judicial Code govern the handling of dockets, indices and other judicial records. Subchapter B governs the disposition of obsolete records. Section 4323 of Subchapter B is amended to further provide for the reproduction of judicial records.

Records of permanent value

Records that are classified as records of permanent value may be reproduced if the original record is being destroyed after reproduction if one of the following applies:

- (1) The reproduction format is human readable.
- (2) If the reproduction is electronic or is not human readable, the governing authority, in consultation with the County Records Committee, shall create and apply standards, policies and procedures for the creation, maintenance, backup, migration and transmission of permanent records in that format.

Means of reproduction

Any photostatic, photographic, micrographic, microcard, miniature photographic, optical, electronic or other process, analog or digital, which accurately reproduces the original and forms secure and unalterable copies for recording may be utilized for reproducing records.

A document that previously has been recorded, copied or recopied also may be reproduced by processes authorized under this section.

Copies of destroyed records

Section 4324 is amended to provide that a copy of any record destroyed or disposed of pursuant to Subchapter B, if produced in accordance with section 4323 shall be admissible in evidence and shall have the same force and effect as through the original record had been produced.

Effective date

This act takes effect immediately.

Background: According to the sponsor, “Current law requires many judicial records to be maintained in outdated and cumbersome analog formats that are costly to produce and store and are not easily accessible by modern standards. This legislation would expand the list of authorized methods of recording and copying judicial system records to include optical, electronic and other processes which accurately reproduce the original and form secure and unalterable copies.”