

WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1957

ENROLLED

SENATE BILL NO. 174

(By Mr. Moats + Jackson)

PASSED Feb 22 1957

In Effect 90 days from Passage



ENROLLED

Senate Bill No. 174

(By MR. MOATS and MR. JACKSON, of Lincoln)

[Passed February 27, 1957; in effect ninety days from passage.]

AN ACT to amend article one, chapter fifty-seven of the code of West Virginia, one thousand nine hundred thirty-one, as amended, by adding thereto a new section, designated section seven-b, relating to photographing, microphotographing or reproducing on film or other process records, papers or documents.

Be it enacted by the Legislature of West Virginia:

That article one, chapter fifty-seven of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended by adding thereto a new section, designated section seven-b, to read as follows:

Section 7-b. *Photographing, Microphotographing or Re-*
2 *producing on Film or Other Process Records, Papers or*

3 *Documents.*—If any business, institution, member of a
4 profession or calling, or any officer of a local govern-
5 mental agency, including county officers, county boards
6 of education and municipalities, in the regular course of
7 business or activity has kept or recorded any memoran-
8 dum, writing, entry, print, representation or combina-
9 tion thereof, of any act, transaction, occurrence or event,
10 and in the regular course of business has caused any or
11 all of the same to be recorded, copied or reproduced by
12 any photographic, photostatic, microfilm, micro-card,
13 miniature photographic, or other process which accurately
14 reproduces or forms a durable medium for so reproduc-
15 ing the original, the original may be destroyed in the
16 regular course of business unless held in a custodial or
17 fiduciary capacity or unless its preservation is required
18 by law. Provided, however, destruction of records of
19 local governmental agencies shall also be contingent
20 upon the approval by those agencies of such disposition.
21 Such reproduction, when satisfactorily identified, is as
22 admissible in evidence as the original itself in any judi-
23 cial or administrative proceeding whether the original is

24 in existence or not and an enlargement or facsimile of
25 such reproduction is likewise admissible in evidence if
26 the original reproduction is in existence and available
27 for inspection under direction of court. The introduction
28 of a reproduced record, enlargement or facsimile, does
29 not preclude admission of the original.

The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

E. H. ...
Chairman Senate Committee

H. E. Welch
Chairman House Committee

Originated in the Senate.

Takes effect 90 days from passage.

J. Roman Nye
Clerk of the Senate

C. A. Blankenship
Clerk of the House of Delegates

Reph. J. Bean
President of the Senate

W. E. ...
Speaker House of Delegates

The within approved this the 7th
day of March, 1957.

Leift. Luderwood
Governor



Filed in the Office of the Secretary of State
of West Virginia. **MAR 8-1957**
D. PITT O'BRIEN
SECRETARY OF STATE