WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1967

ENROLLED

SENATE BILL NO. 146

(By Mr. Miller)

PASSED March 10, 1967

In Effect from Passage

FILED IN THE OFFICE
ROBERT D. BAILEY
SECRETARY OF STATE
THIS DATE 3-21-67
ENROLLED

Senate Bill No. 146
(By Mr. Miller)

[Passed March 10, 1967; in effect 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-c, relating to the use of microfilm or microcards by clerks of courts of record to reproduce and preserve records.

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-c, to read as follows:
ARTICLE 1. LEGISLATIVE ACTS AND RESOLUTIONS;
PUBLIC RECORDS.

§ 57-1-7c. Use of microfilm or micro-cards to reproduce and
preserve records.

The clerk of any court of record of the state may, with
the approval of the court for which he or she is clerk,
cause any or all records, papers, plats, or other documents
kept by him or her to be reproduced on photographic
microfilm or micro-cards and may, with the approval of
the court for which he or she is clerk, record, keep and
preserve any and all records, papers, plats, or other docu-
ments required by the laws of this state to be recorded
or kept by said clerk or court exclusively upon photo-
graphic microfilm or micro-cards instead of in well-bound
books or instead of by any other method heretofore pre-
scribed by law.

Such photographic microfilm and micro-cards shall be
of durable material and possess good, archival qualities.
The device used to reproduce such records on such film
and cards shall be one which accurately reproduces the
original thereof in all details.
Such photographic microfilm and micro-cards shall be deemed to be an original record for all purposes, including introduction into evidence in all courts or administrative agencies. A transcript, exemplification, or photographic reproduction thereof shall, when properly authenticated by the clerk of such court, be deemed for all purposes to be a transcript, exemplification, or certified copy of the original.

Such photographic microfilm and micro-cards shall be put in convenient, accessible fireproof files and adequate provision shall be made for preserving, examining and using the same.

Any such records, papers, plats, or other documents not held for others by said clerk or court or required by law to be delivered to some other person, court, corporation or agency, may with the approval of the court keeping such records, papers, plats, or other documents be destroyed; but before any such records, papers, plats or other documents are authorized to be destroyed the court keeping them or the clerk thereof shall obtain the advice and counsel of the state historian or archivist, or
his designated representatives, as to the desirability of placing the said records, papers, plats, or other documents in the department of archives and history and upon the request of the state historian or archivist said court or the clerk thereof shall cause such records, papers, plats, or other documents to be so placed at the expense of said department.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Chairman Senate Committee

Chairman House Committee

Originated in the Senate.

To take effect from passage.

Clerk of the Senate

Clerk of the House of Delegates

President of the Senate

Speaker House of Delegates

The within approved this the 17 day of March, 1967.

Governor
PRESENTED TO THE
GOVERNOR

Date 3/17/67
Time 3:25 pm