

# 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

#146

**ENROLLED**

**Senate Bill No. 146**

**(By MR. MILLER)**

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[Passed March 10, 1967; in effect from passage.]

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

13 Such photographic microfilm and micro-cards shall be  
14 of durable material and possess good, archival qualities.  
15 The device used to reproduce such records on such film  
16 and cards shall be one which accurately reproduces the  
17 original thereof in all details.

18 Such photographic microfilm and micro-cards shall be  
19 deemed to be an original record for all purposes, includ-  
20 ing introduction into evidence in all courts or adminis-  
21 trative agencies. A transcript, exemplification, or photo-  
22 graphic reproduction thereof shall, when properly au-  
23 thenticated by the clerk of such court, be deemed for all  
24 purposes to be a transcript, exemplification, or certified  
25 copy of the original.

26 Such photographic microfilm and micro-cards shall be put  
27 in convenient, accessible fireproof files and adequate pro-  
28 vision shall be made for preserving, examining and using  
29 the same.

30 Any such records, papers, plats, or other documents not  
31 held for others by said clerk or court or required by law  
32 to be delivered to some other person, court, corporation  
33 or agency, may with the approval of the court keeping  
34 such records, papers, plats, or other documents be de-  
35 stroyed; but before any such records, papers, plats or  
36 other documents are authorized to be destroyed the  
37 court keeping them or the clerk thereof shall obtain the  
38 advice and counsel of the state historian or archivist, or

39 his designated representatives, as to the desirability of  
40 placing the said records, papers, plats, or other docu-  
41 ments in the department of archives and history and  
42 upon the request of the state historian or archivist said  
43 court or the clerk thereof shall cause such records, papers,  
44 plats, or other documents to be so placed at the expense  
45 of said department.

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

William Tompa  
Chairman Senate Committee

Clayton C. Davidson  
Chairman House Committee

Originated in the Senate.

To take effect from passage.

Thomas Myers  
Clerk of the Senate

W. Blankenship  
Clerk of the House of Delegates

Howard W. Carson  
President of the Senate

H. Laban White  
Speaker House of Delegates

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

Helette C. Smith  
Governor



PRESENTED TO THE  
GOVERNOR

Date 3/17/67

Time 3:25pm