

# SENATE BILL REPORT

## HB 2402

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As Reported By Senate Committee On:  
Law & Justice, February 26, 1998

**Title:** An act relating to the records of the county clerk.

**Brief Description:** Authorizing the use of electronic copies for preservation of court record.

**Sponsors:** Representatives Sheahan, Lambert, Hatfield, Thompson, McDonald and Dunn.

**Brief History:**

**Committee Activity:** Law & Justice: 2/18/98, 2/26/98 [DP].

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### SENATE COMMITTEE ON LAW & JUSTICE

**Majority Report:** Do pass.

Signed by Senators Roach, Chair; Johnson, Vice Chair; Fairley, Hargrove, Kline, Long, Stevens, Thibaudeau and Zarelli.

**Staff:** David Johnson (786-7754)

**Background:** The county clerk may destroy court documents if reproductions of the documents are kept in a manner reasonably assuring indefinite preservation. Currently, reproductions may be maintained only on photographic film, microphotographic, photostatic, or similar reproduction. However, courts have a number of projects underway involving electronic records.

**Summary of Bill:** County clerks may store document reproductions electronically if either of the following conditions is met:

- (1) the electronic reproductions are continuously updated, and if necessary, transferred to another medium to ensure that they are accessible through contemporary electronic or computerized systems; or
- (2) the electronic reproductions are scheduled to be reproduced on photographic film, microphotographic, photostatic, or similar media.

The State Archives may provide certified copies of records which they are storing for county clerks, if they have the clerk's written permission. Copies made by the archives have the same force and effect as if they were made by the county clerk.

**Appropriation:** None.

**Fiscal Note:** Not requested.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.

**Testimony For:** None.

**Testimony Against:** None.

**Testified:** No one.