

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 451

BY STATE AFFAIRS COMMITTEE

AN ACT

1 RELATING TO COUNTY RECORDS; REPEALING SECTION 9-331, IDAHO CODE, RELATING
2 TO COUNTY OFFICIALS MANNER OF REPLACING DOCUMENTS OR BOOKS; REPEALING
3 SECTION 9-331A, IDAHO CODE, RELATING TO PHOTOGRAPHIC OR DIGITAL RETEN-
4 TION OF COUNTY RECORDS AND DISPOSITION OF ORIGINALS; REPEALING SECTION
5 9-332, IDAHO CODE, RELATING TO DESTRUCTION OF ORIGINALS WHEN NOT LESS
6 THAN ONE YEAR OLD; AND AMENDING CHAPTER 8, TITLE 31, IDAHO CODE, BY THE
7 ADDITION OF A NEW SECTION 31-871A, IDAHO CODE, TO PROVIDE FOR RETENTION
8 OF COUNTY RECORDS USING PHOTOGRAPHIC AND DIGITAL MEDIA.
9

10 Be It Enacted by the Legislature of the State of Idaho:

11 SECTION 1. That Section [9-331](#), Idaho Code, be, and the same is hereby
12 repealed.

13 SECTION 2. That Section [9-331A](#), Idaho Code, be, and the same is hereby
14 repealed.

15 SECTION 3. That Section [9-332](#), Idaho Code, be, and the same is hereby
16 repealed.

17 SECTION 4. That Chapter 8, Title 31, Idaho Code, be, and the same is
18 hereby amended by the addition thereto of a NEW SECTION, to be known and des-
19 ignated as Section 31-871A, Idaho Code, and to read as follows:

20 31-871A. RETENTION OF COUNTY RECORDS USING PHOTOGRAPHIC AND DIGITAL
21 MEDIA. (1) A county official may reproduce and retain documents in a photo-
22 graphic, digital or other nonpaper medium. The medium in which a document
23 is retained shall accurately reproduce the document in paper form during the
24 period for which the document must be retained and shall preclude unautho-
25 rized alteration of the document.

26 (2) If the medium chosen for retention is photographic, all film used
27 must meet the quality standards of the American national standards institute
28 (ANSI).

29 (3) If the medium chosen for retention is digital, the medium must pro-
30 vide for reproduction on paper at a resolution of at least two hundred (200)
31 dots per inch.

32 (4) A document retained by the county in any form or medium permitted
33 under this section shall be deemed an original public record for all pur-
34 poses. A reproduction or copy of such a document, certified by the county
35 official, shall be deemed to be a transcript or certified copy of the origi-
36 nal and shall be admissible before any court or administrative hearing.

37 (5) Once a paper document is retained in a nonpaper medium as authorized
38 by this section, the original paper document may be disposed of or returned
39 to the sender.

1 (6) Whenever any record is reproduced by photographic or digital
2 process as herein provided, it shall be made in duplicate, and the custodian
3 thereof shall place one (1) copy in a fire-resistant vault, or off-site stor-
4 age facility, and he shall retain the other copy in his office with suitable
5 equipment for displaying such record at not less than original size and for
6 making copies of the record.