

MAR 18 1991

HOUSE FILE 506

Judiciary & Law Enforcement
Lo Pass 3/22 (p. 739)

BY PETERSON of Carroll

Passed House, Date 3/27/91 (p. 909) Passed Senate, Date 4/17/91 (p. 1322)
Vote: Ayes 97 Nays 0 Vote: Ayes 49 Nays 0
Approved April 30, 1991 (p. 1939)

A BILL FOR

1 An Act relating to the admission into evidence of reproduced,
2 rerecorded, or duplicated original writings, documents, and
3 other records kept in the regular course of business or
4 activity.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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HF 506

1 Section 1. Section 622.30, subsection 2, Code 1991, is
2 amended to read as follows:

3 2. If any business, institution, member of a profession or
4 calling, or any department or agency of government, in the
5 regular course of business or activity has kept or recorded
6 any memorandum, writing, entry print, representation or
7 combination thereof, of any act, transaction, occurrence or
8 event and in the regular course of business has caused any or
9 all of the same to be recorded, copied, or reproduced by any
10 photographic, photostatic, microfilm, microcard, miniature
11 photographic, electronic imaging, electronic data processing,
12 or other process which accurately reproduces or forms a
13 durable medium for ~~so~~ accurately and legibly reproducing an
14 unaltered image or reproduction of the original, the original
15 may be destroyed in the regular course of business unless held
16 in a custodial or fiduciary capacity or unless its
17 preservation is required by law, except if the originals are
18 records, reports, or other papers of a county officer they
19 shall not be destroyed until they have been preserved for ten
20 years. Such reproduction, when satisfactorily identified, is
21 as admissible in evidence as the original itself in any
22 judicial or administrative proceeding whether the original is
23 in existence or not and an enlargement or facsimile of such
24 reproduction is likewise admissible in evidence if the
25 original recording, copy, or reproduction is in existence and
26 available for inspection under direction of court. The
27 introduction of a reproduced record, enlargement or facsimile,
28 does not preclude admission of the original.

29 EXPLANATION

30 This bill provides that original documents may also be
31 copied or reproduced by electronic imaging, electronic data
32 processing, or other process which accurately reproduces or
33 forms a durable medium for accurately reproducing an unaltered
34 image or reproduction of the original. In addition, recorded,
35 copied, or reproduced documents shall be admissible in any

1 judicial or administrative proceeding to the same extent as
2 the original once satisfactorily identified.

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available for inspection under direction of court. The introduction of a reproduced record, enlargement or facsimile, does not preclude admission of the original.

ROBERT C. ARNOOLD
Speaker of the House

JOE J. WEISH
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 506, Seventy-fourth General Assembly.

JOSEPH QUERRA
Chief Clerk of the House

Approved: _____, 1991

April 30

TERRY E. BRANSTAD
Governor

AN ACT

RELATING TO THE ADMISSION INTO EVIDENCE OF REPRODUCED, RECORDED, OR DUPLICATED ORIGINAL WRITINGS, RECORDS, AND OTHER RECORDS KEPT IN THE REGULAR COURSE OF BUSINESS OR ACTIVITY.

BILL ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. Section 622.10, subsection 2, Code 1991, is amended to read as follows:

2. If any business, institution, member of a profession or calling, or any department or agency of government, in the regular course of business or activity has kept or recorded any memorandum, writing, entry print, representation or combination thereof, of any act, transaction, occurrence or event and in the regular course of business has caused any or all of the same to be recorded, copied, or reproduced by any photographic, photostatic, microfilm, microcard, miniature photographic, magnetic-tape, electronic data processing, or other process which accurately reproduces or forms a durable medium for so acceptably and legibly reproducing an unaltered image of reproduction of the original, the original may be destroyed in the regular course of business unless held in a custodial or fiduciary capacity or unless its preservation is required by law, except if the originals are records, reports, or other papers of a county officer they shall not be destroyed until they have been preserved for ten years. Such reproduction, when satisfactorily identified, is as admissible in evidence as the original itself in any judicial or administrative proceeding whether the original is in existence or not and an enlargement or facsimile of such reproduction is likewise admissible in evidence if the original recording, copy, or reproduction is in existence and