

HOUSE BILL No. 4442

March 5, 1991, Introduced by Reps. Niederstadt, Bartnik, Pitoniak, Byrum, Baade, Dobronski, McNutt, Anthony, Middaugh and Dalman and referred to the Committee on Towns and Counties.

A bill to amend the title and sections 1, 2, and 3 of Act No. 105 of the Public Acts of 1964, entitled

"An act to provide for photostating, photographing, microphotographing or filming of records of the state, political subdivisions thereof and municipal courts of record; and to provide for the use thereof as evidence,"

being sections 691.1101, 691.1102, and 691.1103 of the Michigan Compiled Laws.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. The title and sections 1, 2, and 3 of Act
2 No. 105 of the Public Acts of 1964, being sections 691.1101,
3 691.1102, and 691.1103 of the Michigan Compiled Laws, are amended
4 to read as follows:

5 TITLE

6 An act to provide for ~~photostating, photographing,~~
7 ~~microphotographing or filming~~ REPRODUCTION of records of ~~the~~

1 THIS state, political subdivisions ~~thereof~~ OF THIS STATE, and
 2 municipal courts of record; and to provide for the use ~~thereof~~
 3 OF THOSE REPRODUCTIONS as evidence.

4 Sec. 1. ~~When~~ IF a department, commission, board, or
 5 officer of ~~the~~ THIS state, a political subdivision, or a munic-
 6 ipal court of record ~~, shall have photographed or microphoto-~~
 7 ~~graphed or filmed all or any part of the~~ REPRODUCES PURSUANT TO
 8 THE RECORDS MEDIA ACT records kept by or in ~~such~~ THE depart-
 9 ment, commission, board, office, or court, ~~in a manner and on~~
 10 ~~film or paper that complies with the minimum standards of quality~~
 11 ~~approved for photographic records by the microfilm laboratory of~~
 12 ~~the department of administration and published in the administra-~~
 13 ~~tive code, and when such photographs or microphotographs or films~~
 14 ~~shall be placed in conveniently accessible files and provisions~~
 15 ~~made for preserving, examining, and using the same,~~ the depart-
 16 ment, commission, board, officer, or court may cause the original
 17 records ~~from which the photographs or microphotographs or films~~
 18 ~~have been made, or any part thereof,~~ to be disposed of or
 19 destroyed ~~in accordance with section 13c~~ PURSUANT TO
 20 SECTIONS 201, 285, 287, AND 289 of THE MANAGEMENT AND BUDGET ACT,
 21 Act No. ~~54~~ 431 of the Public Acts of ~~the First Extra Session~~
 22 ~~of 1948~~ 1984, being ~~section 18.13c~~ SECTIONS 18.1201, 18.1285,
 23 18.1287, AND 18.1289 of the MICHIGAN Compiled Laws, ~~of 1948~~ IF
 24 APPLICABLE, and section 5 of Act No. 271 of the Public Acts of
 25 1913, as amended, being section 399.5 of the MICHIGAN Compiled
 26 Laws. ~~of 1948. No~~ A record of ~~any such~~ A MUNICIPAL court OF
 27 RECORD shall NOT be disposed of or destroyed ~~until~~ UNLESS the

1 ~~records shall have~~ RECORD HAS been in the custody of the court
2 for at least 6 years.

3 Sec. 2. The register of deeds of ~~any~~ A county, ~~when~~ IF
4 so instructed by a resolution of the COUNTY board of
5 ~~supervisors, may microphotograph any and all deeds, mortgages,~~
6 ~~maps and instruments or writings, authorized by law to be~~
7 COMMISSIONERS, MAY REPRODUCE PURSUANT TO THE RECORDS MEDIA ACT A
8 DEED, MORTGAGE, MAP, INSTRUMENT, OR WRITING recorded in his OR
9 HER office ~~, and left with him for that purpose and all of the~~
10 ~~records and indexes~~ AND A RECORD OR INDEX required by law to be
11 kept by him OR HER. The register of deeds shall make ~~such~~
12 ~~microfilms~~ REPRODUCTIONS in duplicate and store 1 ~~microfilm~~
13 REPRODUCTION in a building separate from his OR HER office. ~~He~~
14 THE REGISTER OF DEEDS shall retain the other ~~microfilm~~
15 REPRODUCTION in his OR HER office with suitable equipment for
16 displaying ~~such filmed~~ THE record ~~by projection to~~ AT not
17 less than its original size or for preparing copies for persons
18 entitled to ~~the same~~ COPIES.

19 Sec. 3. ~~Photographs, microphotographs or films~~ A
20 REPRODUCTION of a record ~~thus~~ IN A MEDIUM PURSUANT TO THE
21 RECORDS MEDIA ACT OR A REPRODUCTION CONSISTING OF A PRINTOUT OR
22 OTHER OUTPUT READABLE BY SIGHT FROM SUCH A MEDIUM prepared under
23 ~~this or~~ any other law ~~shall have~~ HAS the same force and
24 effect as the ~~originals thereof would have had,~~ ORIGINAL and
25 shall be treated as ~~originals~~ AN ORIGINAL for the purpose of
26 admissibility in evidence. ~~Duly~~ A DULY certified or
27 authenticated ~~copies of such photographs, microphotographs or~~

1 ~~films~~ COPY OF THE REPRODUCTION shall be admitted in evidence
2 equally with the original ~~photographs, microphotographs or~~
3 ~~films~~ REPRODUCTION.

4 Section 2. This amendatory act shall not take effect unless
5 Senate Bill No. _____ or House Bill No. 4438 (request
6 no. 01788'91) of the 86th Legislature is enacted into law.