

No. 176

AN ACT

HB 1120

Providing for the destruction and reproduction of records, papers and dockets by the prothonotary in the City and County of Philadelphia, providing for the admissibility of such reproductions or certified copies thereof as evidence in any court or proceeding, and relieving the prothonotary of liability for destruction of the records, papers and dockets.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1. In the City and County of Philadelphia, the prothonotary of the courts of common pleas, and as clerk of the county court, may:

(1) Except as herein provided, destroy all papers and records in any action at law or in equity, including any appeal to either of the said courts, and in any kind of lien which has been marked of record, settled, ended and discontinued, or discontinued, or dismissed or where in such action the award, finding, verdict or judgment has been marked satisfied of record; provided, however, such action has been so marked of record for a period of at least ten years prior to such destruction.

(2) Destroy, after reproducing same, as herein provided, all papers and records in any action of adoption, change of name, divorce, annulment of marriage, as well as in any proceeding for the appointment of a guardian for an incompetent, or for a charter of incorporation for a nonprofit corporation including amendments thereto and mergers and dissolutions thereof, and in any proceeding affecting title to real estate: Provided, That such actions and proceedings have been concluded at least ten years prior to such destruction.

(3) Destroy dockets of every and all description which have been on file for a period of fifteen years or more, after reproducing same as herein provided.

Section 2. Such papers, records and dockets may be reproduced by any photostatic, photographic, microphotographic, microfilm, video tape, magnetic tape or other mechanical process which produces a clear, accurate and permanent copy, microcopy or reproduction of the original, in accordance with standards not less than those approved for permanent records by the National Bureau of Standards.

Section 3. The photostatic, photographic, microphotographic or micro-filmed copy of any such paper, record or docket destroyed as herein authorized, or a certified copy thereof, shall be admissible in evidence in any court or proceeding, and shall have the same force and effect

as though the original paper, record, or docket had been produced and proved. It shall be the duty of the prothonotary to prepare enlarged, typed or photographic copies of such papers, records and dockets whenever their production in court is required.

Section 4. The said prothonotary shall not be held liable on his official bond or in the way of damages for loss, or in any other manner, civil or criminal, because of the destruction of papers, records or dockets as herein authorized.

Section 5. The said prothonotary shall supervise the reproduction of such papers, records and dockets and formulate rules and regulations in connection therewith.

Section 6. In order to provide insurance for the more actively used film copies against damage or loss through wear or disaster, duplicate rolls of all microfilmed papers, records and dockets shall be maintained at such locations as shall be approved by the prothonotary.

Section 7. The Department of Records of the City of Philadelphia shall collect all papers, records and dockets authorized to be destroyed and destroy the same except papers, records and dockets which are of historical value as may be determined by the City Archivist. The Commissioner of Records shall retain custody of such historical papers, records and dockets.

Section 8. All acts and parts of acts inconsistent herewith are repealed.

Section 9. This act shall take effect immediately.

APPROVED—The 10th day of August, A. D. 1965.

WILLIAM W. SCRANTON

No. 177

AN ACT

HB 1158

Amending the act of August 23, 1961 (P. L. 1068), entitled "An act to provide for the creation and administration of an Anthracite and Bituminous Coal Mine Subsidence Fund within the Department of Mines and Mineral Industries for the insurance of compensation for damages to subscribers thereto; declaring false oaths by the subscribers to be misdemeanors; providing penalties for the violation thereof; and making an appropriation," further providing for administrative expenses; authorizing the establishment of rates at any time during the year; and permitting longer policies.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows: