

JUDICIAL PROOF

CHAPTER 298

SENATE BILL NO. 2315

(Senators St. Aubyn, Heitkamp)
(Representatives Nottestad, Svedjan)

UNIFORM PRESERVATION OF PRIVATE BUSINESS RECORDS ACT

AN ACT to adopt the Uniform Preservation of Private Business Records Act.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. Definitions. As used in this Act:

1. "Business" includes every kind of private business, profession, occupation, calling, or operation of a private institution, whether for profit or nonprofit.
2. "Record" or "business record" includes any book of account, voucher, document, canceled check, payroll, correspondence, record of sales, personnel, equipment production, report relating to any of these items, and any other business paper.
3. "Reproduction" means a reproduction or durable medium for making a reproduction obtained by any photographic, photostatic, microfilm, microcard, miniature photographic, or other process that accurately reproduces or forms a durable medium for reproducing the original.

SECTION 2. Period of preservation. Unless a specific period is designated by law for preservation, any business record that state law requires a person to keep or preserve may be destroyed after the expiration of three years from the making of the record without constituting an offense under state law. This section does not apply to any minute book of any corporation or to any record of sales or other transactions involving a weapon, poison, or other dangerous article or substance capable of use in the commission of a crime.

SECTION 3. Preservation of reproductions. If in the course of regular business a person makes a reproduction of an original business record, the preservation of the reproduction constitutes compliance with any state law requiring that a business record be kept or preserved.

SECTION 4. Destruction of records by state officers. This Act does not diminish the authority of an officer of this state under existing law to permit the destruction of any business record.

Approved March 15, 1999
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