

JUDICIAL PROOF

CHAPTER 247

H. B. No. 578
(Leahy, Aamoth)

PHOTOGRAPHIC COPIES AS EVIDENCE

AN ACT

To amend and reenact section 31-08-01.1 of the North Dakota Century Code, relating to the admissibility of photographic copies of business and public records into evidence.

Be It Enacted by the Legislative Assembly of the State of North Dakota:

§ 1. **Amendment.**) Section 31-08-01.1 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

31-08-01.1. Photographic Copies of Business and Public Records Admissible in Evidence.) 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, micro-card, miniature photographic, or other process which accurately reproduces or forms a durable medium for so reproducing the original, the original may be destroyed in the regular course of business unless its preservation is required by law. 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 reproduction is in existence and available for inspection under direction of court. The introduction of a reproduced record, enlargement or facsimile, does not preclude admission of the original.

Approved March 5, 1963.