

47:1-5

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NJSA: 47:1-5

LAWS OF: 1994 **CHAPTER:** 140

BILL NO: A972

SPONSOR(S): Collins & LoBiondo

DATE INTRODUCED: Pre-filed

COMMITTEE: **ASSEMBLY:** State Government
SENATE: State Government

AMENDED DURING PASSAGE: Yes Amendments during passage
Second reprint enacted denoted by superscript numbers

DATE OF PASSAGE: **ASSEMBLY:** May 16, 1994
SENATE: June 30, 1994

DATE OF APPROVAL: November 7, 1994

FOLLOWING STATEMENTS ARE ATTACHED IF AVAILABLE:

SPONSOR STATEMENT: Yes

COMMITTEE STATEMENT: **ASSEMBLY:** Yes
SENATE: Yes

FISCAL NOTE: No

VETO MESSAGE: No

MESSAGE ON SIGNING: No

FOLLOWING WERE PRINTED:

REPORTS: No

HEARINGS: No

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[SECOND REPRINT]

ASSEMBLY, No. 972

STATE OF NEW JERSEY

PRE-FILED FOR INTRODUCTION IN THE 1994 SESSION

By Assemblymen COLLINS and LoBIONDO

1 AN ACT concerning public records, amending ¹R.S.46:19-1,¹
2 R.S.47:1-5 and P.L.1953, c.410 and supplementing chapter 3 of
3 Title 47 of the Revised Statutes.

4
5 BE IT ENACTED *by the Senate and General Assembly of the*
6 *State of New Jersey:*

7 ¹1. R.S.46:19-1 is amended to read as follows:

8 46:19-1. The county recording officer of each of the several
9 counties of this State shall record, when delivered to him for that
10 purpose, and duly acknowledged or proved or certified, when
11 acknowledgment, proof or certification is required, in large,
12 well-bound books of good paper or by some other method as
13 authorized pursuant to R.S.47:1-5. If a method authorized
14 pursuant to R.S.47:1-5 is used, then a copy of the record shall
15 also be kept on microfilm as prescribed in R.S.47:1-5. If
16 well-bound books are to be provided for that purpose [and], they
17 shall be carefully preserved, and [to] shall be called by and
18 backed with the different names and intended to contain the
19 different types of conveyances and instruments authorized by this
20 Title or any other law to be recorded, which books shall include,
21 among others, the following:

22 a. "Deeds" --for the various instruments set forth in section
23 46:16-1 of this Title, and therein described as conveyances,
24 releases, declarations of trust; letters of attorney for sales,
25 conveyances, assurances, acquittances or releases; leases for life
26 or any term not less than two years, or assignments thereof
27 absolute, agreements for sales; consents to the execution of
28 powers to sell, convey, acquit or release; writings to declare or
29 direct uses or trusts, and also all other instruments heretofore or
30 hereafter directed by law to be acknowledged or proved and
31 recorded, and not by such law expressly directed to be recorded
32 in some other class of books;

33 b. "Ancient deeds" --for all ancient deeds of the description
34 set forth in section 46:16-7 of this Title;

35 c. "Releases" --for all releases or deeds in which the intention
36 to operate as releases from the lien and effect of any mortgage
37 or judgment is plainly manifested, and all deeds, releases or
38 postponements in which the intention to operate as a
39 postponement or waiver of priority of the lien of a judgment or
40 judgments, mechanic's lien or liens or recorded mortgage or
41 mortgages to the lien and operation of a mortgage or mortgages,
42 recorded, or to be recorded, subsequent thereto, is plainly
43 manifested;

EXPLANATION--Matter enclosed in bold-faced brackets [thus] in the
above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹ Assembly ASG committee amendments adopted May 2, 1994.

² Senate SSG committee amendments adopted June 6, 1994.

- 1 d. "Mortgages" --for all mortgages, defeasible deeds or other
 2 conveyances in the nature of a mortgage and assignments of such
 3 leases by way of mortgage or security;
- 4 e. "Assignment of mortgages" --for all assignments of
 5 mortgages, whether absolute or by way of mortgage or security;
- 6 f. "Discharge of mortgages" --for all discharges or
 7 satisfaction pieces of mortgages;
- 8 g. Such other books, not herein enumerated, but which may be
 9 required by the provisions of this Title or by some other law for
 10 the recording of such deeds or other instruments as are not
 11 expressly directed by law to be recorded in some specifically
 12 named book.

13 In like books the county recording officer shall record such
 14 deeds or other instruments of or affecting goods and chattels and
 15 personal property, to be called and backed as follows:

- 16 a. "Chattel mortgages" --for all chattel mortgages, and
 17 assignments, releases and discharges thereof;
- 18 b. "Conditional sales contracts" --for the entries required by
 19 section 46:32-15 of this Title;
- 20 c. "Conditional sales contracts affecting goods attached to
 21 realty" --for the entries required by section 46:32-14 of this
 22 Title;
- 23 d. "Deeds of trust of personalty" --for all deeds of personal
 24 property to literary, benevolent, religious and charitable
 25 institutions;
- 26 e. "Letters or powers of attorney--conditional sale contracts"
 27 --for all letters or powers of attorney authorizing the execution
 28 and delivery of statements of satisfaction of conditional sale
 29 contracts and all revocations of such letters or powers of
 30 attorney;
- 31 f. "Aircraft liens" --for the entries required by N.J.S. 2A:44-2.

32 To the various books herein enumerated every person shall have
 33 access, at proper seasons, and be entitled to transcripts
 34 therefrom on paying the fees allowed by law.¹

35 (cf: P.L.1983, c.77, s.3)

36 ¹[1.] 2.¹ R.S.47:1-5 is amended to read as follows:

37 47:1-5. All papers, documents and instruments in writing
 38 authorized or required by law to be recorded [and] , filed,
 39 registered, or indexed in the office of the Secretary of State,
 40 ²[Clerk of the Superior Court,]² clerk, register of deeds and
 41 mortgage and surrogate of any county of this State, as well as
 42 the record and index of any such papers, documents or
 43 instruments in writing, which may be recopied, rerecorded or
 44 transcribed pursuant to any law of this State, may be recopied,
 45 rerecorded, reindexed or transcribed in such offices by means of
 46 photography, data processing or image processing, and such
 47 rerecord or transcribing, made by means of photography, data
 48 processing or image processing, shall have the same legal force,
 49 meaning and effect as if made in handwriting or in typewriting.

50 The Secretary of State, ²[Clerk of the Superior Court,]² clerk,
 51 register of deeds and mortgages and surrogate of any county of
 52 this State may make a copy by means of photography, data
 53 processing or image processing of any document or instrument
 54 and such photographic, data processed or image processed copy,

1 if made, shall have the same legal force, meaning and effect as if
2 made in handwriting or in typewriting.

3 (cf: P.L.1953, c.45, s.1)

4 ¹[2.] 3.¹ Section 2 of P.L.1953, c.410 (C.47:3-16) is amended
5 to read as follows:

6 2. As used in this act, except where the context indicates
7 otherwise, the words "public records" mean any paper, written
8 or printed book, document or drawing, map or plan, photograph,
9 microfilm, data processed or image processed document,
10 sound-recording or similar device, or any copy thereof which has
11 been made or is required by law to be received for filing,
12 indexing, or reproducing by any officer, commission, agency or
13 authority of the State or of any political subdivision thereof,
14 including subordinate boards thereof, or that has been received by
15 any such officer, commission, agency or authority of the State or
16 of any political subdivision thereof, including subordinate boards
17 thereof, in connection with the transaction of public business and
18 has been retained by such recipient or its successor as evidence
19 of its activities or because of the information contained therein.

20 As used in this act the word "bureau" means the Bureau of
21 Archives and History in the Department of Education.

22 (cf: P.L.1953, c.410, s.2)

23 ¹[3.] 4.¹ Section 12 of P.L.1953, c.410 (C.47:3-26) is amended
24 to read as follows:

25 12. The Bureau of Archives and History in the Department of
26 Education, with the approval of the State Records Committee
27 established by section six hereof, shall formulate standards [and],
28 procedures and rules for the photographing, microphotographing
29 [and], microfilming, data processing and image processing of
30 public records and for the preservation, examination and use of
31 such records, including the indexing and arrangement thereof, for
32 convenient reference purposes.

33 Whenever any officer, commission, agency or authority of the
34 State or of any political subdivision thereof, including subordinate
35 boards thereof, shall have photographed, microphotographed [or],
36 microfilmed, data processed or image processed all or any part of
37 the public records, kept or required by law to be received and
38 indexed in such manner as to conform with the standards [and],
39 procedures and rules, and such photographs, microphotographs
40 [or], microfilms, or data processed or image processed documents
41 have been placed in conveniently accessible files and provision
42 shall have been made for the preservation, examination and use
43 of the same in conformity with the said standards and procedures,
44 the original records from which the photographs,
45 microphotographs [or], microfilms, or data processed or image
46 processed documents have been made, or any part thereof, may
47 be destroyed or the records therein otherwise effectively
48 obliterated; provided, the said bureau shall first have given its
49 written consent to such destruction or other disposition.

50 In the event of any such destruction or other disposition of any
51 public records under the provisions of this section, the
52 photograph, microphotograph [or], microfilm, or data processed
53 or image processed document or a certified copy of said
54 photograph, microphotograph [or], microfilm, or data processed

1 or image processed document shall be receivable in evidence in
2 any court or proceeding and shall have the same force and effect
3 as though the original public record had been there produced and
4 proved.

5 (cf: P.L.1953, c.410, s.12)

6 ¹[4.] 5.1 (New section) Any public agency, the Secretary of
7 State²[, the Clerk or Deputy Clerk of the Superior Court,]² or
8 ²the² County Clerk, Register, or Surrogate of a county may copy,
9 record, index or transcribe public records by means of
10 photography, data processing, image processing, or other
11 approved means, subject to compliance with the rules and
12 regulations promulgated therefor by the Division of Archives and
13 Records Management in the Department of State. Any document
14 which is a data processed or image processed copy produced and
15 stored in accordance with the rules and regulations promulgated
16 therefor by the division shall be considered a legal substitute for
17 an original document.

18 ¹[5.] 6.1 (New section) a. The Division of Archives and
19 Records Management in the Department of State², with the
20 approval of the State Records Committee established pursuant to
21 section 6 of P.L.1953, c.410 (C.47:3-20),² shall promulgate such
22 rules and regulations as may be necessary to effectuate the
23 purposes of this act and to safeguard the State's documentary
24 heritage.

25 b. No public agency, ²[Clerk or Deputy Clerk of the Superior
26 Court,]² County Clerk or Register shall adopt, use or employ any
27 system for recording, filing, registration or indexing as
28 authorized by R.S. 47:1-5, as amended by this act, unless the
29 same shall conform to the rules and regulations to be
30 promulgated by the Division of Archives and Records
31 Management in the Department of State pursuant to subsection a.
32 of this section, and shall first be approved by the Division of
33 Archives and Records Management. No such system shall be
34 approved until the Division of Archives and Records Management
35 shall have fully promulgated those rules and regulations.

36 c. Any system for recording, filing, registration or indexing as
37 authorized by R.S. 47:1-5, as amended by this act, which employs
38 data processing or image processing, and which was adopted, used
39 or employed prior to the effective date of this act, shall
40 nevertheless be subject to the rules and regulations to be
41 promulgated by the Division of Archives and Records
42 Management pursuant to subsection a. of this section. The
43 approval of the Division of Archives and Records Management
44 shall be necessary to bring about the compliance of such
45 systems, in a prompt and orderly fashion, with the standards set
46 forth in the rules and regulations.

47 ¹[6.] 7.1 (New section) Whenever it shall be necessary to
48 alter, correct or revise the record pertaining to any paper,
49 document or instrument, or the index pertaining to the same,
50 which shall previously have been recorded, filed, registered, or
51 indexed, the officer responsible for maintaining such records or
52 custodian thereof shall cause a notation to be made of the date
53 and nature of the alteration, correction or revision, which

1 notation shall become part of the record. The officer or
2 custodian shall also preserve the record in its original form prior
3 to alteration, correction or revision, and the same shall be
4 available to any citizen of this State, pursuant to P.L.1963, c.73
5 (C.47:1A-1 et seq.).

6 ¹[7.] 8.¹ (New section) The right of the citizens of this State
7 to inspect and copy public records pursuant to P.L.1963, c.73
8 (C.47:1A-1 et seq.) shall ¹[be deemed to include, without
9 limitation]¹, ¹with respect to the copying of¹ records maintained
10 by a system of data processing or image processing ¹, be deemed
11 to refer to the right to receive printed copies of such records¹.

12 ¹[8.] 9.¹ (New section) No official responsible for maintaining
13 public records or the custodian thereof shall destroy, obliterate
14 or dispose of any paper, document, instrument, or index which
15 shall have been recorded, filed, registered or indexed except as
16 specifically permitted by law. No law, statute or regulation shall
17 be construed to permit the destruction, obliteration or disposal of
18 any such records by implication.

19 ¹[9.] 10.¹ (New section) Whenever in any law, rule, regulation,
20 order, contract, document, judicial or administrative proceeding,
21 or otherwise, reference is made to the Bureau of Archives and
22 History in the Department of Education or the administrator
23 thereof, the same shall be considered to mean and refer to the
24 Division of Archives and Records Management in the Department
25 of State, established pursuant to the Governor's Reorganization
26 Plan, filed April 25, 1983.

27 ¹[10.] 11.¹ This act shall take effect ²[immediately] July 1,
28 1995² and applies to papers, documents or instruments heretofore
29 or hereafter recorded or indexed.

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34 _____
35 Allows recording and indexing of certain legal documents by
electronic methods.

1 thereof, the same shall be considered to mean and refer to the
2 Division of Archives and Records Management in the Department
3 of State, established pursuant to the Governor's Reorganization
4 Plan, filed April 25, 1983.

5 10. This act shall take effect immediately and applies to
6 papers, documents or instruments heretofore or hereafter
7 recorded or indexed.

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STATEMENT

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12 This bill provides that all written papers, documents and
13 instruments authorized or required by law to be recorded, filed,
14 registered, or indexed in the office of the Secretary of State,
15 Clerk of the Superior Court, clerk, register of deeds and
16 mortgages and surrogate of any county of this State, as well as
17 the record and index of these papers, documents or instruments,
18 which may be recopied, rerecorded or transcribed pursuant to any
19 law of this State, may be recopied, rerecorded, reindexed or
20 transcribed by means of data processing or image processing.
21 The copies shall have the same legal force, meaning and effect as
22 if made in handwriting or in typewriting.

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24 The purpose of this bill is to reflect modern technical advances
25 in the usage of data processing and image processing equipment
26 in the storage and retrieval of legal documents.

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Allows recording and indexing of certain legal documents by
electronic methods.

ASSEMBLY STATE GOVERNMENT COMMITTEE

STATEMENT TO

ASSEMBLY, No. 972

with committee amendments

STATE OF NEW JERSEY

DATED: MAY 2, 1994

The Assembly State Government Committee reports favorably and with committee amendments Assembly, No. 972.

This bill authorizes the use of data processing and data imaging technology to produce, from certain publicly recorded documents, copies legally equivalent to the document originally recorded; provides for the establishment of standards to govern the application of those technologies to the creation of such copies; permits the disposal of original records from which proper reproductions have been taken by means of those technologies; and sets forth various rules concerning the copying of public records by the Secretary of State, the clerk of the Superior Court, or the clerk, register of deeds and mortgages, or surrogate of any county (collectively referred to hereinafter as "principal recording officers") and other public entities, the correction of recorded documents, the availability of public records for inspection and copying, and the destruction of recorded documents.

The provisions of the legislation may be summarized as follows:

Section 1. This section amends the statute (R.S.46:19-1) that enumerates generally the several categories under which the county recording officer of each county is to record the various conveyances and instruments authorized by law to be recorded. Currently, this statute requires that the recordation shall be made "in large well-bound books of good paper"; the bill's amendment of this section would permit the use of such other method for the recordation of conveyances and instruments as may be authorized by R.S.47:1-5.

Section 2. This section amends the statute (R.S.47:1-5) that (a) regulates the means by which written documents and instruments "authorized or required by law to be recorded or indexed" in the office of any of the principal recording officers, as well as the record and index of these documents or instruments, may be "recopied, rerecorded, reindexed or transcribed in such offices", and (b) confers "legal force, meaning and effect" on copies and transcriptions produced by such legally sanctioned means.

The bill revises this section to include among those means the technologies of data processing and image processing, and to extend coverage under the section to the reproduction of documents "filed" or "registered" with the principal recording officers.

Sections 3 and 4 amend the "Destruction of Public Records Law (1953)", which prohibits the destruction, sale or other disposition of public records legally required to be filed by an officer or agency of the State or political subdivision thereof without prior notice to and consent from the appropriate State agency (N.J.S.A.47:3-17) and provides for the adoption of schedules to govern the period of time

during which various categories of such records are required to be retained (N.J.S.A.47:3-18).

Section 3. This section would expand the category of public records subject to the statute to include data processed and image processed documents.

Section 4. This section would broaden the State's existing authority under the Law to formulate standards and procedures for the reproduction by various technologies of public records, and for the preservation, examination, and use (including indexation and arrangement) of such records, to encompass records reproduced by means of data processing and image processing technologies. In conjunction with this change and the change made by section 3, a rule permitting the destruction of original documents, provided that reproductions of those documents have been made and filed and are preserved and available in conformity with the standards formulated by the appropriate State agency, is extended to cover originals that have been properly reproduced by means of data processing or image processing. A rule conferring upon reproductions (or certified copies thereof) of public records the same legal force and effect of the original record in the event of the latter's destruction or other disposition is likewise extended to data processed and image processed reproductions.

Sections 5 through 10 constitute new provisions to be added to the "Destruction of Public Records Law (1953)".

Section 5. This section authorizes the principal recording officers and any "public agency" to "copy, record, index or transcribe public records by means of photography, data processing, image processing, or other approved means, subject to compliance with the rules and regulations promulgated therefor by the Division of Archives and Records Management in the Department of State." The section further provides that a document "which is a data processed or image processed copy produced and stored in accordance with the rules and regulations promulgated therefor by the division shall be considered a legal substitute for an original document."

Section 6. This section (a) directs the Division to "promulgate such rules and regulations as may be necessary to effectuate the purposes of this act and to safeguard the State's documentary heritage", (b) prohibits any "public agency" and any clerk or deputy clerk of the Superior Court and any county clerk or register from using "any system for recording, filing, registration or indexing as authorized by R.S.47:1-5" unless it conforms with the rules of, and has been approved by, the Division, and bars the Division from granting such approval until it shall have fully promulgated those rules, and (c) requires that any "system for recording, filing, registration or indexing as authorized by [law] which employs data processing or image processing, and which was adopted, used or employed prior to the effective date of this act, shall nevertheless be subject to the rules . . . promulgated by the Division"

Section 7. This section provides that, when it is "necessary to . . . correct . . . the record pertaining to any . . . document . . . , or the index pertaining to the same, which shall previously have been recorded, filed, registered, or indexed," then the custodial officer for such records shall "cause a notation to be made of the

date and nature of the . . . correction . . . , which notation shall become part of the record." It also directs the custodial officer to "preserve the record in its original form prior to . . . correction" and requires that original version to be available for public inspection and copying under the right to know law, P.L.1963, c.73 (C.47:1A-1 et seq.).

Section 8. This section provides that the right to copy public records under the right to know law shall, with respect to records maintained by a system of data processing or image processing, be a right to receive printed copies of such records.

Section 9. This section prohibits any "official responsible for maintaining public records or the custodian thereof" from disposing of any "paper, document, instrument, or index which shall have been recorded, filed, registered or indexed except as specifically permitted by law."

Section 10. This section provides that official reference to the Bureau of Archives and History in the Department of Education shall be considered to refer to the Division of Archives and Records Management in the Department of State.

This bill was pre-filed for introduction in the 1994 session pending technical review. As reported, the bill includes the changes required by technical review which has been performed.

COMMITTEE AMENDMENTS

The committee adopted amendments to this bill to (1) incorporate the provision amending R.S.46:19-1 to permit the recordation of conveyances in some other medium than bound paper volumes, and (2) clarify that the public's right under the right to know law to obtain a copy of a public record shall, with respect to records "maintained by a system of data processing or image processing", take the form of a right to receive a printed copy of the record.

SENATE STATE GOVERNMENT COMMITTEE

STATEMENT TO

[FIRST REPRINT]

ASSEMBLY, No. 972

with committee amendments

STATE OF NEW JERSEY

DATED: JUNE 6, 1994

The Senate State Government Committee reports favorably and with committee amendments Assembly, No. 972(1R).

This bill authorizes the use of data processing and data imaging technology to produce, from certain publicly recorded documents, copies legally equivalent to the document originally recorded; provides for the establishment of standards to govern the application of those technologies to the creation of such copies; permits the disposal of original records from which proper reproductions have been taken by means of those technologies; and sets forth various rules concerning the copying of public records by the Secretary of State or the clerk, register of deeds and mortgages, or surrogate of any county (collectively referred to hereinafter as "principal recording officers") and other public entities, the correction of recorded documents, the availability of public records for inspection and copying, and the destruction of recorded documents.

The provisions of the legislation may be summarized as follows:

Section 1. This section amends the statute (R.S.46:19-1) that enumerates generally the several categories under which the county recording officer of each county is to record the various conveyances and instruments authorized by law to be recorded. Currently, this statute requires that the recordation shall be made "in large well-bound books of good paper"; the bill's amendment of this section would permit the use of such other method for the recordation of conveyances and instruments as may be authorized by R.S.47:1-5.

Section 2. This section amends the statute (R.S.47:1-5) that (a) regulates the means by which written documents and instruments "authorized or required by law to be recorded or indexed" in the office of any of the principal recording officers, as well as the record and index of these documents or instruments, may be "recopied, rerecorded, reindexed or transcribed in such offices", and (b) confers "legal force, meaning and effect" on copies and transcriptions produced by such legally sanctioned means.

The bill revises this section to include among those means the technologies of data processing and image processing, and to extend coverage under the section to the reproduction of documents "filed" or "registered" with the principal recording officers.

Sections 3 and 4 amend the "Destruction of Public Records Law (1953)", which prohibits the destruction, sale or other disposition of public records legally required to be filed by an officer or agency of the State or political subdivision thereof without prior notice to and consent from the appropriate State agency (N.J.S.A.47:3-17) and provides for the adoption of schedules to govern the period of time during which various categories of such records are required to be retained (N.J.S.A.47:3-18).

Section 3. This section would expand the category of public records subject to the statute to include data processed and image processed documents.

Section 4. This section would broaden the State's existing authority under the Law to formulate standards and procedures for the reproduction by various technologies of public records, and for the preservation, examination, and use (including indexation and arrangement) of such records, to encompass records reproduced by means of data processing and image processing technologies. In conjunction with this change and the change made by section 3, a rule permitting the destruction of original documents, provided that reproductions of those documents have been made and filed and are preserved and available in conformity with the standards formulated by the appropriate State agency, is extended to cover originals that have been properly reproduced by means of data processing or image processing. A rule conferring upon reproductions (or certified copies thereof) of public records the same legal force and effect of the original record in the event of the latter's destruction or other disposition is likewise extended to data processed and image processed reproductions.

Sections 5 through 10 constitute new provisions to be added to the "Destruction of Public Records Law (1953)".

Section 5. This section authorizes the principal recording officers and any "public agency" to "copy, record, index or transcribe public records by means of photography, data processing, image processing, or other approved means, subject to compliance with the rules and regulations promulgated therefor by the Division of Archives and Records Management in the Department of State." The section further provides that a document "which is a data processed or image processed copy produced and stored in accordance with the rules and regulations promulgated therefor by the division shall be considered a legal substitute for an original document."

Section 6. This section (a) directs the Division, with the approval of the State Records Committee, to "promulgate such rules and regulations as may be necessary to effectuate the purposes of this act and to safeguard the State's documentary heritage", (b) prohibits any "public agency" and any county clerk or register from using "any system for recording, filing, registration or indexing as authorized by R.S.47:1-5" unless it conforms with the rules of, and has been approved by, the Division, and bars the Division from granting such approval until it shall have fully promulgated those rules, and (c) requires that any "system for recording, filing, registration or indexing as authorized by [law] which employs data processing or image processing, and which was adopted, used or employed prior to the effective date of this act, shall nevertheless be subject to the rules . . . promulgated by the Division"

Section 7. This section provides that, when it is "necessary to . . . correct . . . the record pertaining to any . . . document . . . , or the index pertaining to the same, which shall previously have been recorded, filed, registered, or indexed," then the custodial officer for such records shall "cause a notation to be made of the date and nature of the . . . correction . . . , which notation shall become part of the record." It also directs the custodial officer to "preserve the record in its original form prior to . . . correction"

and requires that original version to be available for public inspection and copying under the right to know law, P.L.1963, c.73 (C.47:1A-1 et seq.).

Section 8. This section provides that the right to copy public records under the right to know law shall, with respect to records maintained by a system of data processing or image processing, be a right to receive printed copies of such records.

Section 9. This section prohibits any "official responsible for maintaining public records or the custodian thereof" from disposing of any "paper, document, instrument, or index which shall have been recorded, filed, registered or indexed except as specifically permitted by law."

Section 10. This section provides that official reference to the Bureau of Archives and History in the Department of Education shall be considered to refer to the Division of Archives and Records Management in the Department of State.

This bill was pre-filed for introduction in the 1994 session pending technical review. As reported, the bill includes the changes required by technical review which has been performed.

COMMITTEE AMENDMENTS

Amendments were adopted to: 1) delete all references to the Clerk or Deputy Clerk of the Superior Court; 2) provide that the rules and regulations promulgated by the Division of Archives and Records Management shall be approved by the State Records Committee; and 3) change the effective date of the bill from immediately upon enactment to July 1, 1995.