

Senate Bill 50

By: Senators Johnson of the 1<sup>st</sup> and Tanksley of the 32<sup>nd</sup>**AS PASSED SENATE**

## A BILL TO BE ENTITLED

## AN ACT

1 To amend Article 2 of Chapter 6 of Title 15 of the Official Code of Georgia Annotated,  
 2 relating to clerks of the superior courts, so as to authorize the maintenance of records in  
 3 digital format; to define certain terms; to provide that a clerk of a superior court electing to  
 4 store records in digital format shall maintain back-up records or shall send copies of such  
 5 records to the Georgia Department of Archives and History; to provide procedures for such  
 6 transmittal; to provide an interim method of maintaining back-up records; to provide for a  
 7 certification of digital format as an acceptable method of record storage; to provide for  
 8 related matters; to repeal conflicting laws; and for other purposes.

9 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

10 **SECTION 1.**

11 Article 2 of Chapter 6 of Title 15 of the Official Code of Georgia Annotated, relating to  
 12 clerks of the superior courts, is amended by striking in its entirety subsection (a) of Code  
 13 Section 15-6-62, relating to additional duties of clerks of the superior courts, and inserting  
 14 in lieu thereof the following:

15 ~~"(a) The clerk of the superior court is required to record in well-bound books or on~~  
 16 ~~microfilm, within six months after the final determination of any civil action or criminal~~  
 17 ~~case, all the proceedings relating thereto. In the event that any clerk elects to microfilm~~  
 18 ~~proceedings, he shall make available a machine for reading and reproducing such~~  
 19 ~~microfilmed matters. The clerk of the superior court is required to record all the~~  
 20 ~~proceedings relating to any civil action or criminal case within six months after the final~~  
 21 ~~determination of the case. Such recording may be in well-bound books, on microfilm, or~~  
 22 ~~in digital format. If a clerk elects to record proceedings on microfilm or in digital format,~~  
 23 ~~he or she shall make available a machine for reading and reproducing such microfilmed or~~  
 24 ~~digitally formatted records. If a clerk elects to record proceedings in digital format, the~~  
 25 ~~provisions of Code Section 15-6-62.1 shall apply.~~



1 (f) Any system of maintaining back-up records managed by a clerk of a superior court  
2 must be certified by the department as being an acceptable system of maintaining  
3 permanent records."

4 **SECTION 3.**

5 All laws and parts of laws in conflict with this Act are repealed.