

Colorado State Laws on Optical Images

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13-26-102. Business and public records as evidence.

If any business, institution, or member of a profession or calling or any department or agency of government in the regular course of business or activity keeps or records any memorandum, writing, entry, print, or representation, or combination thereof, of any act, transaction, occurrence, or event and in the regular course of business has caused any of the same to be recorded, copied, or reproduced by any photographic, photostatic, microfilm, microcard, miniature photographic, **optical disk, or other form of mass storage, electronic imaging,** electronic data processing, electronically transmitted facsimile, printout, or other reproduction of electronically stored data, or other process which accurately reproduces or forms a **durable medium for reproducing the original,** the original may be destroyed in the regular course of business unless held in a custodial or

fiduciary capacity or 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. This shall not be construed to exclude from evidence any document or copy thereof which is otherwise admissible under the rules of evidence.

24-36-106. Record of warrants - order of payment - paid warrants - validation.

(1) The treasury department shall maintain a list of all warrants drawn upon the state treasurer by the division of accounts and control and of those warrants issued and outstanding. Such lists shall be open during regular business hours for the inspection and examination of every person desiring to inspect or examine the same.

(2) Warrants shall be paid in the order in which presented to the treasury department for payment. The state treasurer may validate any warrant presented for payment after six months from its date of issue for a period of time not longer than thirty days from the date upon which it is so

presented.

(3) All paid warrants shall be cancelled and, after being microfilmed or **copied through image technology such as optical storage** and other recognized state-of-the-art storage technologies, shall be destroyed pursuant to part 1 of article 80 of this title. The treasury department is authorized to enter into an arrangement which allows any bank holding cancelled warrants to microfilm or copy **through other recognized state-of-the-art storage technologies** and to store said warrants for the benefit and use of the treasury department, but no bank shall destroy any cancelled warrant without written authorization from the treasury department. Any bank producing microfilm or using other recognized state-of-the-art storage technologies pursuant to this subsection (3) shall transmit such microfilm or the product of such other recognized state-of-the-art storage technologies to the treasury department, where it shall be kept and stored. The treasury department is not authorized to enter into such an arrangement if the cost of the service charged by the bank exceeds the cost which the state would incur by providing the same service.

30-10-407. Microfilm and optical imaging records - when - standards for optical imaging systems.

(1) When authorized by the board of county commissioners, the county clerk

and recorder in counties, or cities and counties, may record the instruments lawfully filed for record in his office by making and preserving microfilm or **optical images** thereof. Such county clerk and recorder shall, immediately after the filing for record of real estate instruments, properly index the same in the manner required by law. When the microfilm or **optical imaging** method of recording has been approved by the board of county commissioners and adopted by the county clerk and recorder, at least one microfilm reader to make the microfilms legible or at least one computer terminal to access **optical imaging records** shall be provided, and as many more microfilm readers or computer terminals as may prove necessary to give reasonable service to the public shall also be provided.

(2) At least two microfilms or two **optical imaging database** records shall be made of each recorded instrument, which shall be kept in separate buildings as far as reasonably may be done in order that they may not be subject to the same hazards. All sets of the microfilm and all optical imaging computer data shall be constantly under the control of the county clerk and recorder. One set of microfilm or one copy of the **optical imaging database** shall always be kept by the county clerk and recorder, so that the same is available to the public during the hours that said county clerk and recorder's office is open for business and so that persons desiring to inspect or examine the record may do so by means of microfilm reader and facilities or by means of **optical imaging computer terminals** maintained in

said county clerk and recorder's office. Said records shall not be removed from the county clerk and recorder's office at any time for any purpose, except the security copy, which shall be kept in a security vault approved by the board of county commissioners and the county clerk and recorder. The security copy of the microfilm or **optical image media** may be deposited in the county records section of the division of state archives and public records.

(3) Legible size prints shall be made from the microfilm or **optical imaging** records by the county clerk and recorder on demand for the fee provided by law.

(4) Any instrument which cannot be satisfactorily recorded by microfilm or by **optical imaging** may be recorded by other methods of photographing or by transcribing by typewriter or by longhand.

(4.5) Any **optical imaging** system utilized by a county clerk and recorder shall, at minimum, produce permanent records which **do not permit additions, deletions, or other changes to the original documents.**

(5) Nothing in this section shall abridge or limit the power of any court to compel the production of any microfilm or **optical imaging records** in any proceeding.

39-10-105. Receipt for taxes.

(2) The treasurer shall retain in the office as part of the records thereof a copy of every receipt issued by the treasurer for taxes paid, which copies shall be recorded or filed in the order of issuance. The original tax receipt, or a copy thereof, or a copy of any entry in the treasurer's records concerning the same shall, when certified by the treasurer or the treasurer's deputy, be received in all places as prima facie evidence of payments of the taxes. For purposes of this section, "copy" means a reproduction of the original by any means, including, but not limited to, a photograph, a microfilm or **optical imaging record**, a computer disk image, or any other means of record retention chosen by the treasurer.

(3) When request is made of the treasurer for copies of tax receipts, a fee shall be collected for each copy of a receipt issued, as provided in section 30-1-102, C.R.S.