

State of Arizona
House of Representatives
Fifty-fourth Legislature
First Regular Session
2019

CHAPTER 275
HOUSE BILL 2501

AN ACT

AMENDING SECTIONS 41-151.09 AND 41-151.15, ARIZONA REVISED STATUTES;
AMENDING TITLE 41, CHAPTER 1, ARTICLE 2.1, ARIZONA REVISED STATUTES, BY
ADDING SECTION 41-151.26; APPROPRIATING MONIES; RELATING TO THE ARIZONA
STATE LIBRARY, ARCHIVES AND PUBLIC RECORDS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 41-151.09, Arizona Revised Statutes, is amended
3 to read:

4 41-151.09. Depository of official archives

5 A. The state library is the central depository of all official
6 books, records and documents, **INCLUDING ELECTRONIC RECORDS**, not in current
7 use of the various state officers and departments of this state, the
8 counties and incorporated cities and towns. These materials constitute
9 the state archives. The state archives shall be carefully kept and
10 preserved, classified, catalogued and made available for inspection under
11 rules the director adopts.

12 B. State officers in possession of official state or territorial
13 archives shall deposit those archives with the state library.

14 C. Any county, municipal or other public official shall either
15 retain or deposit with the state library for permanent preservation
16 **PURSUANT TO SECTION 39-101** official books, records, documents and original
17 papers not in current use. The clerk of the superior court shall deposit
18 and the state library shall preserve all permanent superior court case
19 files pursuant to court rules.

20 D. The state library shall make birth and death records held in the
21 state library archives available for inspection as follows:

22 1. Birth records if seventy-five years have passed after the date
23 of birth as recorded on the birth certificate.

24 2. Death records if fifty years have passed after the date of
25 death.

26 Sec. 2. Section 41-151.15, Arizona Revised Statutes, is amended to
27 read:

28 41-151.15. Preservation of public records

29 A. All records made or received by public officials or employees of
30 this state or the counties and incorporated cities and towns of this state
31 in the course of their public duties are the property of this
32 state. Except as provided in this article, the director and every other
33 custodian of public records shall carefully protect and preserve the
34 records from deterioration, mutilation, loss or destruction and, when
35 advisable, shall cause them to be properly repaired and renovated. All
36 paper, ink and other materials used in public offices for the purpose of
37 permanent records, **INCLUDING ELECTRONIC RECORDS**, shall be of durable
38 quality and shall comply with the standards established pursuant to
39 section 39-101. Additionally, the custodian of records that keeps
40 photography, film, microfiche, digital imaging or other types of
41 reproduction or electronic media pursuant to section 41-151.16, subsection
42 A shall protect records from loss or destruction pursuant to standards
43 that are established by the director.

