

FINAL BILL REPORT

HB 1893

C 189 L 95

Synopsis as Enacted

Brief Description: Authorizing the secretary of corrections to delegate authority to certify records and documents.

Sponsors: Representatives Ballasiotes and Blanton.

House Committee on Corrections
Senate Committee on Human Services & Corrections

Background: The Department of Corrections maintains records on inmates serving sentences in state prisons. From time to time the department receives subpoenas to have its records certified so they can be used in court hearings. Records of public agencies are admissible in court when they are certified by the officers who by law have custody of those records.

Current law does not expressly authorize the secretary of the department to delegate to other department employees the authority to certify and maintain custody of the department's records and files. Accordingly, there is a concern that the secretary might have to personally certify department records before they could be admitted in court.

Current law does not authorize the department to charge any fees for its costs involved in certifying and transmitting records.

Summary: The secretary of the department is authorized to delegate to department employees the authority to certify and maintain custody of the department's records and files.

The department may charge reasonable fees when it reproduces, ships and certifies its records.

Votes on Final Passage:

House	96 0
Senate	48 0

Effective: July 23, 1995