



STATE OF ARIZONA
OFFICE OF THE GOVERNOR

DOUGLAS A. DUCEY
GOVERNOR

EXECUTIVE OFFICE

June 6, 2019

The Honorable Katie Hobbs
Secretary of State
1700 W. Washington, 7th Floor
Phoenix, AZ 85007

Dear Secretary Hobbs:

I am transmitting to you the following bills from the Fifty-fourth Legislature, 1st Regular Session, which I signed on June 6th, 2019:

H.B. 2475 water use; criminal penalty; wells (Bowers)
H.B. 2501 electronic records; state library (Blackman)
H.B. 2758 empowerment scholarships; qualified school (Petersen)
S.B. 1215 state lease-purchase agreements; payoff (Livingston)
S.B. 1216 uniform receivership act; commercial property (Livingston)
S.B. 1220 reviser's technical corrections; 2019 (Fann)
S.B. 1244 caregivers; assisted living; training (Brophy-McGee)
S.B. 1485 school tuition organization; inflator (Mesnard)

Sincerely,

Douglas A. Ducey
Governor
State of Arizona

cc: Senate Secretary
Chief Clerk of the House of Representatives
Arizona News Service

Senate Engrossed House Bill

FILED
KATIE HOBBS
SECRETARY OF STATE

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.

1 B. THE STATE LIBRARY SHALL ESTABLISH, OPERATE AND MAINTAIN A
2 TRUSTED ELECTRONIC RECORDS REPOSITORY TO KEEP, PRESERVE, SECURE AND MAKE
3 AVAILABLE THE ELECTRONIC AND DIGITIZED RECORDS OF THE STATE ARCHIVES AND
4 THE STATE DOCUMENTS PROGRAM AND OF ANY DOCUMENTS AND PUBLIC RECORDS
5 RECEIVED, SUBJECT TO LEGISLATIVE APPROPRIATION.

6 ~~B.~~ C. Records shall not be destroyed or otherwise disposed of by
7 any agency of this state unless it is determined by the state library that
8 the record has no further administrative, legal, fiscal, research or
9 historical value. The original of any record produced or reproduced
10 pursuant to section 41-151.16 may be determined by the state library to
11 have no further administrative, legal, fiscal, research or historical
12 value. A person who destroys or otherwise disposes of records without the
13 specific authority of the state library is in violation of section 38-421.

14 Sec. 3. Title 41, chapter 1, article 2.1, Arizona Revised Statutes,
15 is amended by adding section 41-151.26, to read:

16 41-151.26. Electronic records repository fund; exemption

17 A. THE ELECTRONIC RECORDS REPOSITORY FUND IS ESTABLISHED CONSISTING
18 OF LEGISLATIVE APPROPRIATIONS, GIFTS, NONFEDERAL GRANTS, FEES, DONATIONS
19 AND OTHER MONIES. THE DIRECTOR SHALL ADMINISTER THE FUND. MONIES IN THE
20 FUND ARE SUBJECT TO LEGISLATIVE APPROPRIATION. THE DIRECTOR SHALL USE THE
21 MONIES IN THE FUND FOR OPERATING EXPENSES FOR THE TRUSTED ELECTRONIC
22 RECORDS REPOSITORY ESTABLISHED PURSUANT TO SECTION 41-151.15.

23 B. MONIES IN THE FUND ARE EXEMPT FROM THE PROVISIONS OF SECTION
24 35-190 RELATING TO LAPSING OF APPROPRIATIONS.

25 Sec. 4. Appropriation; electronic records repository; FTE
26 position

27 The sum of \$70,000 and 1 FTE position are appropriated from the
28 state general fund in fiscal year 2023-2024 to the secretary of state for
29 the purposes of this act.

APPROVED BY THE GOVERNOR JUNE 6, 2019.

FILED IN THE OFFICE OF THE SECRETARY OF STATE JUNE 6, 2019.

Passed the House March 4, 2019

Passed the Senate April 30, 2019

by the following vote: 58 Ayes,

by the following vote: 28 Ayes,

0 Nays, 2 Not Voting

0 Nays, 2 Not Voting

[Signature]
Speaker of the House
 Pro Tempore

[Signature]
President of the Senate

[Signature]
Chief Clerk of the House

[Signature]
Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill received by the Governor this

_____ day of _____, 20____

at _____ o'clock _____ M.

Secretary to the Governor

Approved this _____ day of

at _____ o'clock _____ M.

Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill received by the Secretary of State

this _____ day of _____, 20____

at _____ o'clock _____ M.

Secretary of State

H.B. 2501

HOUSE CONCURS IN SENATE
AMENDMENTS AND FINAL PASSAGE

May 24, 20 19,

by the following vote: 58 Ayes,

0 Nays, 2 Not Voting

[Signature]
Speaker of the House

[Signature]
Chief Clerk of the House

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill was received by the Governor this

24 day of May, 20 19,

at 2:23 o'clock P M.

[Signature]
Secretary to the Governor

Approved this 6th day of

June, 20 19,

at 11:06 o'clock A M.

[Signature]
Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State

this 6 day of June, 20 19,

at 3:53 o'clock P M.

[Signature]
Secretary of State

H.B. 2501