

41.345 Photostatic copies of Treasury records -- Use as evidence.

- (1) Treasury checks and records that are susceptible to photostatic reproduction may be proved as to foundation, identity, and authenticity without any preliminary testimony, by use of legible and durable copies, certified in the manner provided herein by the State Treasurer as custodian of the originals. The copies may be used in any trial, hearing, deposition, or any other judicial or administrative action or proceeding, whether civil or criminal, in lieu of the original checks or records.
- (2) When a subpoena duces tecum is served upon the State Treasurer requiring the production of any checks or records at any action or proceeding, it is sufficient if the State Treasurer, as custodian of the original thereof, promptly notifies, in writing, the attorney for the party causing service of the subpoena, of the State Treasurer's election to proceed under the provisions of this section. Upon notification, the attorney causing the service of the subpoena shall notify all other attorneys of record, or other parties if they are not represented by attorneys, of the State Treasurer's procedure. Following notification, the State Treasurer as custodian of the checks or records specified in the subpoena shall promptly deliver, by certified mail, legible and durable copies, certified by the State Treasurer, of checks or records specified in the subpoena. The certification shall be signed before a notary public by the State Treasurer as custodian of the records.

Effective: March 30, 1990

History: Amended 1990 Ky. Acts ch. 211, sec. 2, effective March 30, 1990. --
Created 1986 Ky. Acts ch. 372, sec. 1, effective July 15, 1986.