

(1) THE HEAD OFFERS THE ORIGINAL MATERIAL TO THE COMMISSION, BUT THE COMMISSION DECLINES TO ACCEPT;

(2) THE COPY IS MADE IN A MANNER THAT MEETS THE STANDARD OF QUALITY OF THE COMMISSION FOR PERMANENT PHOTOGRAPHIC RECORDS;

(3) THE COPY IS PLACED IN AN ADEQUATELY ACCESSIBLE CONTAINER; AND

(4) PROVISIONS ARE MADE:

(I) FOR THE PRESERVATION, EXAMINATION, AND USE OF THE COPY IN A MANNER THAT THE COMMISSION APPROVES; AND

(II) AS TO A RECORD THAT A STATUTE OTHERWISE EXPRESSLY REQUIRES TO BE KEPT PERMANENTLY, FOR THE COPY TO BE AVAILABLE, ON REQUEST, IN THE SAME MANNER AS THE ORIGINAL MATERIAL.

(B) CONDITIONS.

(1) AFTER MATERIALS ARE DESTROYED UNDER THIS SECTION, THE HEAD OF THE UNIT SHALL SEND TO THE COMMISSION:

(I) A LIST OF THE MATERIALS THAT WERE DESTROYED; AND

(II) A CERTIFICATE OF DESTRUCTION.

(2) THE STATE ARCHIVIST SHALL KEEP EACH LIST OF THE MATERIALS DESTROYED UNDER THIS SECTION. THE LIST SHALL BE AVAILABLE FOR PUBLIC INSPECTION AT REASONABLE TIMES.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 54, § 11(a), as it related to counties and municipal corporations, and the second clause of § 8(b).

In the introductory language of subsection (a) of this section, the reference to the "written approval of the Commission" is substituted for the former reference to the "approval of the Archivist ... under ... § 8", to conform to § 5-121 of this subtitle, which requires the written approval of the Commission.

In subsection (b) of this section, the substance of the second and third sentences of former Art. 54, § 8 is substituted for the former authority to "under the provisions of § 8, of this subtitle, cause the original records ... to be disposed of as the law provides", for clarity.

Defined terms: "Commission" § 5-119