

SENATE FILE NO. SF0087

Public records preservation.

Sponsored by: Senator(s) Meier, Anderson, J.D. (SD02) and
Hastert and Representative(s) Berger,
Burkhart, Hunt, Miller and Throne

A BILL

for

1 AN ACT relating to public records; prohibiting use of
2 automatic electronic record deletion software; providing
3 conforming amendments; and providing for an effective date.

4

5 *Be It Enacted by the Legislature of the State of Wyoming:*

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7 **Section 1.** W.S. 16-4-206 is created to read:

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9 **16-4-206. Automatic deletion of public record**
10 **electronic communications.**

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12 No custodian of any public record shall use software on any
13 computer or electronic device which processes information
14 for communication purposes which contains public records of
15 any state agency, not including public records of any
16 political subdivision, which is designed to automatically

1 delete electronic communications without the custodian
2 making a separate decision about the deletion of each
3 individual electronic communication. In no event shall the
4 deletion be encrypted to prevent recovery unless
5 specifically prescribed by law.

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7 **Section 2.** W.S. 16-4-201(a)(viii) is amended to read:

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9 **16-4-201. Definitions.**

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11 (a) As used in this act:

12

13 (viii) "This act" means W.S. 16-4-201 through

14 ~~16-4-205~~ 16-4-206;

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16 **Section 3.** This act is effective July 1, 2014.

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(END)