

1 **As Amended by House Committee**

2 *Session of 2001*

3
4 **HOUSE BILL No. 2212**

5
6 By Representative Loyd

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8 1-30

9
10 AN ACT concerning civil procedure; relating to records; amending
11 K.S.A. 60-465 and repealing the existing section.

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13 *Be it enacted by the Legislature of the State of Kansas:*

14 Section 1. K.S.A. 60-465 is hereby amended to read as follows: 60-
15 465. (a) A writing purporting to be a copy of an official record or of an
16 entry therein, meets the requirements of authentication if the judge finds
17 that the writing purports to be published by authority of the nation, state
18 or subdivision thereof, in which the record is kept or evidence has been
19 introduced sufficient to warrant a finding that the writing is a correct copy
20 of the record or entry. Extrinsic evidence of authenticity as a condition
21 precedent to admissibility is not required if: (1) The office in which the
22 record is kept is within this state and the writing is attested as a correct
23 copy of the record or entry by a person purporting to be an officer, or a
24 deputy of an officer, having the legal custody of the record; (2) the office
25 in which the record is kept is within the United States or territory or
26 insular possession subject to the dominion of the United States and the
27 writing is attested to as required in clause (1) and authenticated by seal
28 of the office having custody or, if that office has no seal, by a public officer
29 having a seal and having official duties in the district or political subdivi-
30 sion in which the records are kept who certifies under seal that such
31 officer has custody; or (3) the office in which the record is kept is in a
32 foreign state or country, the writing is attested as required in clause (1)
33 and is accompanied by a certificate that such officer has the custody of
34 the record which certificate may be made by a secretary of an embassy
35 or legation, consul general, consul, vice-consul, or consular agent or by
36 any officer in the foreign service of the United States stationed in the
37 foreign state or country in which the record is kept, and authenticated by
38 the seal of that office.

39 (b) ~~Any branch bank, as defined in K.S.A. 9-1111, and amendments~~
40 ~~hereto;~~ **branch credit union or branch savings and loan institution**
41 *shall designate an officer or employee at such branch as the custodian of*
42 *records to identify records for evidentiary purposes. For the purposes*
43 **of this section, "branch" means any office, agency or other place**

1 **of business, at which deposits are received, checks paid or money**
2 **lent.**

3 Sec. 2. K.S.A. 60-465 is hereby repealed.

4 Sec. 3. This act shall take effect and be in force from and after its
5 publication in the statute book.

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