

By Ms. Pines, a petition (accompanied by bill, Senate, No. 830) of Lois G. Pines for legislation relative to the admissibility of duplicates of computer files. The Judiciary.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Ninety-Four.

AN ACT RELATIVE TO THE ADMISSIBILITY OF DUPLICATES OF COMPUTER FILES.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Chapter 233 of the General Laws, as appearing in the 199:
2 Official Edition, is hereby amended by inserting after section 79.
3 the following new section: —

4 Section 79K. A duplicate of a computer data file or program
5 file is admissible to the same extent as the original from which i
6 is copied unless (1) a genuine question is raised as to the authen-
7 ticity of the original or (2) in the circumstances it would be unfair
8 to admit the duplicate in lieu of the original.

9 A “duplicate of a computer data file or program file” is a
10 counterpart produced by the same impression as the original, or
11 from the same matrix, or by mechanical or electronic re-
12 cording, in the normal way such a duplicate is produced on a
13 computer, or by other equivalent techniques that accurately repro-
14 duce the original

15 If data is stored in a computer or similar device, any printout
16 or other output readable by sight, shown to reflect the data
17 accurately, is an “original”.

