

SHORT TITLE: Records; Records Management Act; prohibiting sending of certain records by agencies. Effective date.

STATE OF OKLAHOMA

2nd Session of the 46th Legislature (1998)

SENATE BILL NO. 1287

By: Martin

AS INTRODUCED

An Act relating to records; amending 67 O.S. 1991, Section 205 and 206, which relate to Records Management Act; clarifying terms; requiring Administrator to establish definitions, rules, and guidelines; requiring agency compliance with certain rules; prohibiting sending of certain records by agencies; and providing an effective date.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 67 O.S. 1991, Section 205, is amended to read as follows:

Section 205. 1. The State Records Administrator shall, with due regard for the functions of the agencies concerned:

(a) Establish standards, procedures, and techniques for effective management of records;

(b) Make continuing surveys of records and information operations and recommend improvements in current records management practices including the use of space, equipment and supplies employed in creating, maintaining, storing and servicing records;

(c) Establish standards for the preparation of schedules providing for the retention of state records of continuing value and for the prompt and orderly disposal of state records no longer

possessing sufficient administrative, legal or fiscal value to warrant their further keeping;

(d) Establish definitions and rules concerning nonpermanent state records and establish guidelines for agencies to store and maintain these records;

~~(d)~~ (e) Establish programs for the selection and preservation of essential records; and

~~(e)~~ (f) Obtain reports from agencies as are required for the administration of the program.

2. The Administrator may remove an essential record from its legally designated and customary location if a disaster has occurred or is imminent, make or cause to be made preservation duplicates, and designate as preservation duplicates existing copies of essential records.

SECTION 2. AMENDATORY 67 O.S. 1991, Section 206, is amended to read as follows:

Section 206. The head of each agency shall:

(a) Establish and maintain an active, continuing program for the economical and efficient management of the records of the agency.

(b) Make and maintain records containing adequate and proper documentation of the organization, functions, policies, decisions, procedures and essential transactions of the agency designed to furnish information to protect the legal and financial rights of the state and of persons directly affected by the agency's activities.

(c) Submit to the State Records Administrator, in accordance with the standards established by him, schedules proposing the length of time each state record series warrants retention for administrative, legal or fiscal purposes after it has been created or received by the agency. The head of each agency also shall submit lists of state records in his custody that are not needed in the transaction of current business and that do not have sufficient

administrative, legal or fiscal value to warrant their further keeping for disposal in conformity with the requirements of Section 210 of this title.

(d) Cooperate with the Administrator in the conduct of surveys made by him pursuant to the provisions of this act.

(e) Comply with the rules, regulations, standards and procedures issued by the Administrator.

(f) Comply with the rules of the Administrator concerning nonpermanent records.

SECTION 3. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 217 of Title 67, unless there is created a duplication in numbering, reads as follows:

Effective November 1, 1998, agencies shall no longer send non-permanent records, as defined by the State Records Administrator, to a facility under the control of the Archives and Records Commission.

SECTION 4. This act shall take effect November 1, 1998.

46-2-2357 SJ