

EDUCATION AND WORKFORCE DEVELOPMENT CABINET

Department for Libraries and Archives

Archives and Records Management Division

(Amendment)

725 KAR 1:010. Records officers; duties.

RELATES TO: KRS Chapter 171

STATUTORY AUTHORITY: KRS 171.450

NECESSITY, FUNCTION, AND CONFORMITY: KRS 171.450 requires the department to prescribe administrative regulations governing the procedures for retention scheduling of public records, disposal of public records, and for the transfer of public records to the State Archives or Records Centers. This administrative regulation is to assure uniformity and continuity in these procedures.

Section 1. Each constitutional, statutory, and executive authority of state and local government shall designate a member of the staff as records officer, whose duty shall be to represent that unit of government in its relations with the Archives and Records Management Division.

Section 2. Duties and responsibilities of each records officer are as follows:

(1) The records officer shall assist the Archives and Records Management Division in inventorying, analyzing, and scheduling disposition of records of the records officer's unit of government, or in any manner approved by the agency head that may tend to establish an efficient system of records management.

(2) The records officer shall keep a record of the destruction of public records, noting the authorization for said destruction and the amount and date span of records destroyed.

Section 3. The records officer shall keep a record of the transfer of public records to the State Archives and Records Centers, including the records transferred, date of transfer, and location in the State Archives and Records Centers.

Section 4.

(1) A state or local agency shall not destroy any original records after the records are microfilmed, digitized, duplicated, or reformatted without written approval of the Department for Libraries and Archives.

(2) He shall keep a record of the destruction of public records, noting the authorization for said destruction and the amount of records destroyed. He shall make an annual report of this record to a designated superior and to the Director of the Public Records Division.

TERRY MANUEL, Commissioner

APPROVED BY AGENCY: July 2, 2021

FILED WITH LRC: July 6, 2021 at 11:30 a.m.

PUBLIC HEARING AND COMMENT PERIOD: A public hearing on this administrative regulation shall be held on September 21, 2021, at 10:00 a.m. Eastern Time at the Kentucky Department for Libraries and Archives, 300 Coffee Tree Road, Frankfort, Kentucky 40601, Commission Room. Individuals interested in being heard at this hearing shall notify this agency in writing by five workdays prior to the hearing, of their intent to attend. If no notification of intent to attend the hearing is received by that date, the hearing may be canceled. This hearing is open to the public. Any person who wishes to be heard will be given an opportunity to comment on the proposed administrative regulation. A transcript of the public hearing will not be made unless a written request for a transcript is made. If you do not wish to be heard at the public hearing, you may submit written

comments on the proposed administrative regulation. Written comments shall be accepted through September 30, 2021. Send written notification of intent to be heard at the public hearing or written comments on the proposed administrative regulation to the contact person.

CONTACT PERSON: Terry Manuel, Commissioner, Kentucky Department for Libraries and Archives, 300 Coffee Tree Road, Frankfort, Kentucky 40601. phone 502-564-8303. fax 502-564-5773, email Terry.Manuel@ky.gov.