

Technical Amendment
November 10, 2022
EDUCATION AND LABOR
(Technical Amendment)

725 KAR 1:020. Recording and reproducing public records.

RELATES TO: KRS 61.870, 171.420(3), 171.450(1)(c), 171.600, 171.670

STATUTORY AUTHORITY: KRS 171.450(1)(c), 171.660

NECESSITY, FUNCTION, AND CONFORMITY: KRS 171.450(1)(c) requires the department to establish standards and procedures for recording, managing, preserving, and reproducing public records. KRS 171.660 requires that state and local agencies shall reproduce and preserve public records according to administrative regulations promulgated by the department. KRS 171.420(3) requires the State Libraries, Archives, and Records Commission to be the final authority for the disposition of all public records in Kentucky. This administrative regulation establishes the standards to be followed for the recording or reproducing of public records.

Section 1. Recording shall be done on paper, microform, or in a digital format.

Section 2. If the recording is done on paper, it shall be done on thirty-two (32) weight, 100 percent linen paper.

Section 3. If the recording is done on microfilm, microfiche, or some other type of microform, the agency shall follow the standards and procedures in Microfilming and Digital Imaging of Public Records: A Procedural Guide.

Section 4. If the recording is in a digital format or reformatted to a digital image, the agency shall follow the standards in Microfilming and Digital Imaging of Public Records: A Procedural Guide, Policy Memorandum on the Storage of Public Records as Scanned Images, and Ensuring Long-term Accessibility and Usability of Textual Records Stored as Digital Images: Guidelines for State and Local Government Officials.

Section 5.

(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 State Archivist as established in 725 KAR 1:030.

(2) A state or local agency shall follow the retention and disposition schedules established by the State Libraries, Archives, and Records Commission in 725 KAR 1:061.

Section 6. Incorporation by Reference.

(1) The following material is incorporated by reference:

(a) "Microfilming and Digital Imaging of Public Records: A Procedural Guide", January 2010;

(b) "Policy Memorandum on the Storage of Public Records as Scanned Images, PM 2010-01", January 2010; and

(c) "Ensuring Long-term Accessibility and Usability of Textual Records Stored as Digital Images: Guidelines for State and Local Government Officials", January 2010.

(2) This material may be inspected, copied, or obtained, subject to applicable copyright law, at Division of Archives and Records Management, Kentucky Department for Libraries and Archives, 300 Coffee Tree Road, Frankfort, Kentucky 40601, Monday through Friday, 9:00 a.m. to 4:00 p.m.

(2 Ky.R. 535; eff. 7-7-1976; 36 Ky.R. 1334; 1955; 2059-M; eff. 4-2-2010; 48 Ky.R. 558; 2214; eff. 5-3-2022; TAm eff. 11-10-2022.)

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