

Local Records Retention Schedules

Missouri Revised Statutes Chapter 109 (Public and Business Records) Section 255 authorizes the Local Records Board to establish minimum retention periods for the administrative, fiscal and legal records created by local governments.

Retention and disposition of records that are common to many offices are included in the General Schedule. Records unique to particular offices are addressed in individual office schedules.

August 2021

Reformatted Schedule to PDF

Public Administrator Records Retention Schedule

See also the [General Records Retention Schedule](#).

Using this Records Retention Schedule

Every day local government offices throughout Missouri produce records that document the rights of citizens, the actions of the government that serves them and the history of the community in which they live. It is the responsibility of local government to effectively maintain and manage these records and to ensure the continued preservation of those records of essential evidence that have enduring and permanent value.

The introduction to this retention schedule provides local government officials with basic information on records and the application of retention schedules.

What is a Record?

A "**record**" is defined as any "document, book, paper, photograph, map, sound recording or other material, regardless of physical form or characteristics, made or received pursuant to law or in connection with the transaction of official business" (109.210(5) RSMo). This definition includes those records created, used and maintained in electronic form.

Non-Records

Even though records include a broad spectrum of recorded information, not all recorded information is a record. According to Section 109.210(5) RSMo, the following are not records: "...Library and museum material made or acquired and preserved solely for reference or exhibition purposes, extra copies of documents preserved only for convenience of reference, and stocks of publications and of processed documents are not included within the definition of records..."

Other examples of non-records include the following materials:

- Identical copies of documents maintained in the same file.
- Extra copies of printed or processed materials (official copies of which are retained by the office of record).
- Superseded manuals and other directives (maintained outside the office of record).
- Materials documenting employee fringe activities (blood donors, charitable funds, social and professional meetings, etc.)
- Work papers and drafts of reports or correspondence. Transcribed stenographic materials.
- Blank forms.
- Materials received from other activities that require no action (official copies of which are retained by the office of record).
- Catalogs, trade journals and other publications or papers received from government agencies, commercial firms or private institutions that require no action and are not part of an action case record.

- Survey forms.

Non-records do not require retention scheduling or destruction authorization or reporting. To control excessive accumulation, it is necessary to keep only current, useful materials and to destroy non-records immediately after needs have been satisfied. Avoid filing non-record material with records.

The Value of Local Government Records

Some records, because of their enduring administrative, fiscal, legal or historical value, should be permanently retained. These records require that special care and consideration be given to their storage conditions and the feasibility of preservation microfilming. Examples of permanent records include year-end reports; minutes; property records such as deeds; and birth, death and marriage records.

Most records do not have values that warrant their permanent preservation. Those records with short-term value should, upon reaching end of the retention period, be destroyed.

Statutory Authority for Establishing Records Retention Requirements

In 1965, the Missouri General Assembly established a State Records Commission to approve retentions for records produced by state agencies. In 1972, Missouri's Business and Public Records Law (Chapter 109) was expanded to include local government. Thus, the Missouri Local Records Board was established to set retention times for local government records. The 16-member board, chaired by the Secretary of State, consists of local government officials from all classes of counties and cities, elementary and secondary education, higher education and a person active in historical society groups. Supplemental to the Local Records Board, the Records Management and Archives Service of the Secretary of State's office provides assistance to local governments and implements board policy.

Application of the Records Retention Schedule

This schedule establishes minimum retention periods and authorizes dispositions for many of the administrative, fiscal and legal records common to most local governments. Retention periods are based upon federal and state mandates, record surveys, business needs, and general knowledge as to how long records should be kept. Using the schedule as a guide and without seeking further approval from the Local Records Board, any local government may regularly dispose of any of its records that appear on this schedule. The schedule is subject to the following exceptions and limitations:

- A. Local government offices may retain any of their records beyond the retention periods set by the schedule, as they deem necessary. The schedule establishes only a minimum period of retention. Before retaining a record longer than the minimum time required, however, the office should be certain that it has good reason to do so. Unnecessary retention of records can be expensive in space and filing equipment and may expose the office to costly litigation and discovery requirements.
- B. This schedule does not relieve local governments of retention requirements mandated by other state and federal statutes and regulations. When such an obligation does exist, then the longer retention period takes precedence.
- C. This schedule generally reflects audit requirements in its prescribed retention periods, but audits are not always completed in a timely fashion. Therefore, any record required for an audit must be retained until completion of that audit, regardless of its stated retention period in the schedule.
- D. This schedule does not authorize destruction of records that could be deemed relevant to current or pending litigation.

Retention and disposition of records that are common to many offices are included in the General Schedule. Records unique to particular offices are addressed in individual office schedules. All schedules are available on the Secretary of State's website at <http://www.sos.mo.gov/archives/localrecs/schedules>

Destruction of Records

The records classification and retention periods in this manual constitute legal authority for retention and disposal of official records. No records can be destroyed until they meet the minimum retention period

listed in this manual. In cases where there is no schedule for a particular record series, the Local Records Board must grant permission for the destruction.

The disposition of records should be recorded in a document such as the minutes of the city council or other legally constituted authority that has permanent record status. The record should include the description and quantity of each record series disposed of, manner of destruction, inclusive dates covered and the date on which destruction was accomplished.

The retention schedule does not prescribe the method of destruction (shredding, burning, landfills, etc.), however, record series with a disposition of *Destroy securely* contain confidential data. These records should be destroyed under the supervision of a competent person(s) designated (or appointed) to ensure that no records fall into unauthorized hands and that the data cannot be reconstructed.

When records, open or confidential, have been destroyed by decay, vermin, fire, water or other means making their remains illegible, the custodian of records may dispose of the remains after verification and documentation by the Local Records Program, Office of the Secretary of State.

Preservation of Permanent Records

A fundamental, yet often neglected obligation of local government is to care for the permanent records it generates and receives regardless of format. The records, both electronic and physical, that have been identified as permanent require special handling and storage if they are to be preserved. The continuous interaction between a physical record's medium: paper, magnetic tape, film, etc. -and the quality of the environment in which it is kept-temperature, humidity, light, and air-determines the severity and rate of its deterioration. For electronic records the concerns include media decay, hardware/software obsolescence, and migration of data into the current standard: PDF-A, TIF, etc.

By imaging permanently valuable records, local governments can generate durable microfilm for preservation and disaster recovery, while also maintaining an electronic version for access. When microfilmed, processed, and maintained to archival specifications, a master negative will ensure that permanently valuable records are preserved for generations to come (microfilm has an estimated shelf life of over 500 years). Microfilm that meets the standards outlined here is eligible to be stored by the Missouri State Archives at no cost.

The Missouri Local Records Grant program can provide financial assistance in the form of grants-in-aid to supplement local funds for preservation initiatives, such as archival supplies, shelving and preservation microfilming.

Reformatting Standards

In accordance with RSMo 109.241.4, the Local Records Board has adopted the following standards for microfilm and digitized records. To be in compliance for image permanence, microfilm must conform to the technical standards outlined in the *Guidelines for Microfilming Public Records*, drafted by the Local Records Program and available on the Secretary of State's website at:

<http://www.sos.mo.gov/archives/pubs/mfmg>. To ensure the permanence of electronic records and digitized records, electronic records management systems must meet the standards outlined in the most current version of ISO 15489. Certification that records have been reformatted in accordance with these standards should be maintained locally and classified under *General Records Retention Schedule* "GS 018 Records Management Records."

A Note about Retention Periods

This schedule provides minimum retentions. Local authorities may choose to keep a particular series or record for a longer period of time. It should be kept in mind, however, that a record kept beyond its listed retention must be made available for inspection upon request.

The point at which a retention period begins is termed a cutoff, or trigger. Typically this is on a regular cycle—the end of the calendar year, the end of the fiscal year, etc. This is the period of the inactive record. A traditional example of this would be the period when records are boxed and removed from active file cabinets and work areas.

When determining cutoffs, a good rubric is outlined in DoD 5015.02 "Electronic Records Management Software Applications Design Criteria Standard":

- A. retention periods of less than 1 Year, the cutoff is equal to the retention period;
- B. retention periods of 1 Year, or more, the cutoff is at the end of the fiscal or calendar year;
- C. for records with a retention period based on an event or action, the cutoff is the date the action is completed;
- D. for records with a retention period based on a specific time period after an event or action, apply the retention period after the action is complete.

Retention Definitions:

COA=Completion of Audit. Note that COA is coupled with a lot of 5-year entries to help encourage regular audits. Not all jurisdictions are required to have audits by statute. Audits for some municipalities are governed by the level of federal financing for bonds and public improvements, and thus are governed by federal retentions. Most municipalities are governed by their local authority (alderman, council, mayor, etc.) for auditing policy. Local jurisdictions may consult RSMo 29 to review the State Auditor's chapter for petition audits (see RSMo 250 for large capital projects such as bonds for water and sewer). For general auditing explanations and advice we recommend that clerks contact the State Auditor's office at 573.751.4213.

DCA=Destroy in Current Area/Reference. Series with these retentions are considered "reference" records and may be destroyed when they are no longer of use.

Modifications and Additions

Because records reflect activities that are constantly changing, the retention requirements for them sometimes require revision as well. Consequently, records retention and disposition schedules often need modification or additions in order to be realistic and effective. Furthermore, because local governments are so large, it is impractical to consult with every office regarding specific schedule entries. There may be some retention periods and disposition requirements within this schedule that fail to account for all relevant factors and there may be some important record series not addressed here which need to be added. The Local Records Program welcomes all comments and suggestions concerned with improvement of record retention schedules through modifications and additions.

For further information on any records management or preservation issue, please contact:

Missouri Secretary of State
Local Records Preservation Program
PO Box 1747, Jefferson City, MO 65101-1747
Telephone: (573) 751-9047
local.records@sos.mo.gov

Public Administrator Records Retention Schedule

See also the [General Records Retention Schedule](#).

Administrative Records, non-protectee status

Cancelled Bonds

Retention: Permanent if not kept in probate file

Court orders

Retention: Permanent if not kept in probate file

Annual settlements

Retention: Completion of Audit

Balance Sheets

Retention: Completion of Audit

Court Costs

Retention: Completion of Audit

Administrative Records, protectee case file status

Fees: Request and orders for fees

Retention: 2 years or Completion of Audit

Fees: Statement of fees collected

Retention: 2 years or Completion of Audit

Financial and Accounting

Accounting summary report files

Function: Monthly record that itemizes cash balance at end of month

Content: May include: vendor, invoice number, check number, date paid, charged monthly, reversal expenses, and total expenses for month

Retention: 5 Years

Bank loan file

Function: Documents outstanding financial obligations incurred by protectee. Includes amounts borrowed and repayment terms

Content: May include: amounts borrowed, repayment terms, supporting working papers

Retention: 5 Years

Bonds

Function: Retired individual bonds

Retention: 5 Years after cancellation plus Completion of Audit

Certificates of Deposit and U.S. Treasury Bills

Function: Records relating to original financial instruments executed to invest protectee funds.

Content: May include: amount of instrument, term and rate of interest, working papers

Retention: Cancellation plus 2 Years

Personal Property Tax Records

Function: Listing of protectee's assessed value and amount of tax on personal property

Retention: 5 Years

Intangible property tax records

Function: Records associated with financial institution tax or other types of intangible property taxation

Retention: 5 Years

Real estate tax records

Function: Records and documents required for payment of real estate taxes

Content:

May include: copies of building inspection and permit records which have altered the value of the property; may also include records relating to circuit breaker provisions for those who qualify

Retention:

5 Years

Note: In the cases of the Public Administrator all records should be kept until the State Auditors have completed their audits. After the state audit all documents filed with the Probate Court and held in their files come under the Probate Records Retention (Rule 8). Copies held by the Public Administrator may be destroyed. Records not kept in the Probate Court files must be kept according to the retentions listed above.