

STATUTORY AUTHORITY

(Revised 6/2015)

1602

The State of California Records Management Program

The State Records Management Act contained in [Government Code Sections 12270-12279](#) requires the Secretary of State to:

"Establish and administer, in the executive branch of government, a records management program which will apply efficient and economical management methods to the creation, utilization, maintenance, retention, preservation, and disposal of state records" ([Govt. Code 12272\(a\)](#)).

The Secretary of State has assigned the development and implementation of the state's RMP to the California Records and Information Management Program (CalRIM) and State Records Appraisal Program (SRAP) within the State Archives Division. Together, these programs oversee the complete life cycle of public records from record creation to disposition via either transfer to the State Archives or destruction.

Understanding the life cycle of a record, establishing appropriate record retention periods, and support from upper management are all key to sound records management and the preservation of records with archival value.

Records at Risk

The Secretary of State has the authority to take possession of records at risk:

"Notwithstanding any other law, a record held in the State Records Center or by a state agency determined by the Secretary of State to have archival value and to be at risk of damage or loss, or in poor physical condition, shall be transferred to the State Archives at the direction of the Secretary of State with notification to the head of the agency not less than 10 days prior to the transfer." ([Govt. Code 12273](#))

Agency Records Management Program

Government Code Sections 12270-12279, in conjunction with the rules, regulations, and standards and procedures issued by the Secretary of State, requires the head of each state agency to:

- a. establish and maintain an active, continuing program for the economical and efficient management of the records and information practices of the agency;
- b. identify records essential to the functioning of state government in the event of a major disaster; and

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- c. when requested by the Secretary of State, provide a written justification for storage¹ or extension of records in the State Records Center for a period of 50 years or more. Records deemed to have archival value will be transferred to the State Archives.

Disposal of Records

[Government Code 12275\(a\)](#) requires that no record shall be destroyed or otherwise disposed of by any agency of the state, unless it is determined by the Secretary of State, that the record has no further administrative, legal, or fiscal value and the Secretary of State has determined that the record is inappropriate for the preservation in the State Archives.

[Government Code 12275\(b\)](#) requires that the Secretary of State shall not authorize the destruction of any record subject to audit until he or she has determined that the audit has been performed.

[Government Code 12275\(c\)](#) requires that the Secretary of State shall not authorize the destruction of all or any part of an agency rulemaking file subject to [Government Code Section 11347.3](#) regarding the administration of regulations and rulemaking files

¹ Approval is required for department storage. Please see section 1618 for more information.