

SAM—RECORDS MANAGEMENT

RECORDS RESTRICTIONS: STATE AND FEDERAL RULES AND GUIDELINES (Revised 6/2015)

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All state agencies must be aware of and document in the remarks column of their retention schedule the federal and state laws, rules and guidelines that determine appropriate access, retention and disposition of state records.

Federal Programs

If an agency is involved in a federal program, it must also follow any federal rules and guidelines when reviewing, appraising, or scheduling records.

California State Laws

Significant California Government and Civil Codes that affect records:

1. The Information Practices Act of 1977, beginning at [Civil Code Section 1798](#), places specific requirements on state agencies when they collect, use, maintain, and disseminate information about individuals. This Act also comes into play when determining retention periods and disposal methods. In particular, consider the following sections of the Act:
 - a. [Civil Code Section 1798.14](#). This section requires agencies to maintain information about individuals in terms of relevance and necessity.
 - b. [Civil Code Section 1798.24](#). This section sets conditions under which information about individuals can be disclosed to third parties.
2. The California Public Records Act, [Government Code 6250](#) et seq. detail what information is available to the public and what are not, public records open to inspection, response time guidelines, and regulations governing procedure.