

Topic: Destruction of Paper Files
 Question by: Tim Busby
 Jurisdiction: Montana
 Date: September 12, 2013

Jurisdiction	Question(s)
	My question is, for states that have done this, are you required to maintain the paper files? Can you destroy them after a period of time, and if so, what is the period you must retain the paper files?
Manitoba	
Corporations Canada	
Alabama	
Alaska	
Arizona	<p>In Arizona, for the Corporation Commission, all of our records are required to be retained on a "permanent" basis. By state law, the only means of "permanent" record storage is either actual paper or microfilm. Our state has not yet approved any electronic medium for permanent storage. In order to meet our requirement of retaining these records permanently, we microfilm everything. We keep the paper documents for 3 years, after which time they are destroyed if they have been microfilmed. If they have not been microfilmed, the paper is retained until microfilmed. We currently do microfilming from both digital images and direct from paper.</p> <p>We scan most documents into imaging software, and our examiners work from those scanned images. Some documents are still processed by examiners handling the actual paper document from receipt through approval. The imaging software and database is separate from the database in which entity information is entered.</p>
Arkansas	
California	
Colorado	We learned by past mistakes to hold on to the paper documents after they are scanned and have employees review the images first. Once the review shows that the document was scanned correctly, then we throw away the paper document. There isn't a set period of time for the review and disposal.
Connecticut	
Delaware	

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District of Columbia	<p>In District of Columbia we have been scanning images since 1999. At that time we were also storing paper records with DC Archive and private company. In 2010 decision has been made to destroy paper records after scanned images are being validated.</p> <p>Most paper records are destroyed about 2 weeks after the scan and validation is performed.</p>
Florida	
Georgia	
Hawaii	After scanning our paper filings, the paper files are stored and destroyed after one year.
Idaho	Idaho is the same as Utah.
Illinois	
Indiana	
Iowa	
Kansas	Our electronic records keeping plan states that we will scan and keep the paper until quality control is complete then shred.
Kentucky	
Louisiana	Louisiana is the same as North Dakota.
Maine	
Maryland	
Massachusetts	
Michigan	
Minnesota	<p>In Michigan our Records Retention and Disposal Schedule was last updated in November Of 2000; at that time it was updated to address electronic images. Our current system is predominately paper based (the exception being a small number of annual reports/statements) and we return all filed documents (Articles, Amendments, Mergers, etc.) to the customer. Prior to returning the filed document an image is created and stored in our database; these records have a permanent retention period.</p> <p>Our Annual Reports do not have a permanent retention period; once they are filed, scanned and indexed they are destroyed.</p>
Mississippi	
Missouri	
Montana	

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Nebraska	
Nevada	Nevada is basically the same as Kansas.
New Hampshire	
New Jersey	
New Mexico	
New York	
North Carolina	North Carolina, when we started imaging documents, decided not to back scan but to go forward and scan older documents when they were requested. When the document is submitted in paper form our procedure is to scan it and keep it. However, our statutes indicate that the documents may be maintained either in their original form or in photographic, microfilm, optical disk media, or other reproduced form and that we may destroy the originals of those documents reproduced. We have not done this.
North Dakota	In North Dakota, we scan business files, archived records as well as newly submitted documents. Once scanned, we wait a few days until a system backup is complete. Then we audit the images to make sure all pages of the file are scanned and that the images are all accessible and readable. Once the audit of the images is completed, the paper files are destroyed. So, we probably have the paper about a month after the imaging has occurred.
Ohio	
Oklahoma	
Oregon	Oregon destroys its paper records after they've been scanned into our TRIM records management system and we've verified that the images are in the system. TRIM is regularly backed up and served from a remote location and is highly robust. We started getting rid of paper documents when we started filming. After film was QA'd, then we'd destroy the paper. Essentially the same process is true for electronic records.
Pennsylvania	
Rhode Island	
South Carolina	
South Dakota	
Tennessee	

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Texas	<p>Texas keeps both active and inactive records in our database as well as the images associated with those records. Third party imaging software (ViewStar) is integrated into our production database.</p> <p>Texas law provides as follows:</p> <p>Sec. 405.020. PUBLIC RECORDS. (a) The secretary of state shall permanently maintain as a public record any instrument, or the information included in any instrument, that is filed with the secretary of state evidencing the organization of, or otherwise in connection with, any entity formed under the laws of this state.</p> <p>(b) The secretary of state shall maintain the records required under Subsection (a) in any form the secretary of state considers appropriate.</p> <p>After imaging, we destroy paper files after three years. Three years is probably longer than we need to verify that we have legible images of all scanned documents, but it is what is currently in our records retention schedule.</p>
Utah	We do that in Utah, but the paper has a perpetual life and we cannot destroy it.....God or nature might be able to, but we cannot.
Vermont	
Virginia	
Washington	In Washington State once the paper version is imaged it's stored for 6 years at our regional records center. After 6 years it's moved to Archives based on current archival laws.
West Virginia	
Wisconsin	
Wyoming	

Additional comments:

ARKANSAS:

You guys must be psychic because this was a topic of discussion this week in Arkansas. We are just beginning to talk about the need for electronic storage of archived paper documents. In addition to how long to keep the paper, I would also be interested in knowing if your state is

using 3rd party archiving software separate from your production, and if so what. Or are you keeping both active and archived documents in the production database. Any helpful hints you can provide is would be greatly appreciated!

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Full text of email:

Hello IACA;

Here in Montana we are starting a new project to convert all of our archived business files to a scanned image format that can be stored electronically.

My question is, for states that have done this, are you required to maintain the paper files? Can you destroy them after a period of time, and if so, what is the period you must retain the paper files?

We are looking at destroying the paper files after scanning, and after a grace period of 1 year.

I look forward to hearing from you.

Thank you for your time.

Tim Busby
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Montana Secretary of State
Safety/Security/Emergency Coordinator
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