

**UPDATED SUMMARY
HOUSE BILL 16-1368**

Second Regular Session - Seventieth Colorado General Assembly

This summary applies to the reengrossed version of this bill as introduced in the second house. It does not reflect any amendments that may be subsequently adopted. This summary reflects only the main points of the legislation.

The bill clarifies and codifies the current practices of the department of personnel (department) and the state archivist concerning state archives and records. Specifically, the bill clarifies or codifies that:

- ! All governmental agencies, including state agencies and local governments, are subject to the requirements in law regarding state archives and records;
- ! The state archivist, rather than the executive director of the department, is charged with the day to day responsibilities specified in law concerning state archives and records, including promulgating rules and determining when records should be transferred to the department;
- ! The state archives, created in the department, consists of a permanent records program for records that the department will permanently keep and maintain and a records center for records that have been transferred to the department for storage;
- ! The state archivist may establish fees to cover the costs of storing records in the records center;
- ! Each state agency is required to have a records management program;
- ! The attorney general is no longer involved in determining the legal, administrative, or historical value of records;
- ! If a public officer intends to destroy or dispose of original records that are determined to be of legal, administrative, or historical value, the public officer is required to take specified actions to reproduce the record and ensure that copies of the record remain accessible; and
- ! The state archivist may convene a records advisory board to study the best practices for the retention and preservation of records, assist governmental agencies in the creation of a records management program, and perform other functions deemed necessary by the state archivist.