

## SUB-TOPIC

## DESTRUCTION OF STATE RECORDS

No state records may be destroyed without permission from the Texas State Library as outlined in *Texas Government Code* Section 441.187; 13 *Texas Administrative Code* Section 6.7. The Texas State Library has two established methods for obtaining legal authority to destroy state records. Procedures differ for records listed on an approved Records Retention Schedule and any records not listed.

A state record may not be destroyed if any litigation, claim, negotiation, audit, open records request, administrative review, or other action involving the record is initiated before the expiration of the retention period for the record set in the approved institutional Records Retention Schedule. If no action as described above has been taken, records may be destroyed in accordance with the approved retention periods shown in the Records Retention Schedule. Prior to disposal of official records, all state and institutional records and information management regulations and policies must be followed.

State records not listed on the approved Records Retention Schedule (See Exhibit A1) may be destroyed after receiving approval by officials at the Texas State Library. Form RMD 102, Request for Authority to Dispose of State Records, (Exhibit A2), must be completed and submitted to the Office of the Associate Vice President for Finance, Mail Station AD24. The forms will be submitted to the Records Services Department of the Texas State Library to obtain approval for the destruction of public or official records. Unlisted records must not be destroyed until the State Library administrator approves and returns the form to the Associate Vice President for Finance and a copy is forwarded to the requestor.