

Records Retention Schedules

NCSL received a request for information about records retention schedules. The specific questions were:

1. What is the required length of retention for records in your state legislature?
2. How is the retention schedule for legislative records established (e.g. in statute, by legislative rule, by the state archivist, etc.)?

CALIFORNIA

California - Legislative Open Records Act

https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=GOV&ionNum=9080.

As far as I know, retention length for legislative materials is in perpetuity. However, you would need to directly confirm that with the California State Archives.

DELAWARE

1. The Delaware General Assembly has 5 retention schedules: House of Representatives, Senate, Office of the Controller General, Legislative Council, and Joint Legislative Oversight and Sunset Committee. Please find these 5 schedules attached.
2. Per 29 Del. C. § 524 (<https://delcode.delaware.gov/title29/c005/sc01/index.html#524>), the Delaware Public Archives is, after consultation with the agency, responsible for establishing an agency's retention schedules.

In practice, agency retention schedules are almost all a joint creation of the records officer for the agency and a records analyst at the Delaware Public Archives. Currently, the Chief Clerk of the House is the records officer for the House of Representatives; the Secretary of the Senate is the records officer for the Senate; the Controller General is records officer for the Office of the Controller General; and the Legislative Librarian is the records officer for Legislative Council and for the Joint Legislative Oversight and Sunset Committee.

Also in practice, the agency head signs off on the retention schedules for their agency.

In addition, there are general records retention schedules (<https://archives.delaware.gov/government-services/retention/general-records-retention-schedules>). Final approval for these general schedules comes from the State Archivist.

HAWAII

Hawaii's general records schedules is set by the comptroller and can be found here:

https://ags.hawaii.gov/wp-content/uploads/2021/01/GRS-2002-superseded-No4-and-9_rev202012.pdf

Legislative records can be found on page 1-4 (page 12 of the PDF)

HRS §94-3 gives this power to the comptroller:

https://www.capitol.hawaii.gov/hrscurrent/Vol02_Ch0046-0115/HRS0094/HRS_0094-0003.htm

If you require further information, I recommend reaching out to our State Archives (808) 586-0329; e-mail: archives@hawaii.gov

ILLINOIS

For Illinois, we send all materials to Archives (under the Secretary of State) who maintains all records:

(25 ILCS 5/3) (from Ch. 63, par. 3)

Sec. 3. The Secretary of the Senate and Clerk of the House of Representatives, at the close of each session of the General Assembly, shall deliver to the Secretary of State all books, bills, documents and papers in the possession of either branch of the General Assembly, correctly labeled, folded and classified, according to the subject matter of such documents respectively; and the Secretary of State shall preserve the same in his office.

(Source: P.A. 86-759.)

IOWA

Iowa Records Retention is set by the "State Archives and Records Act" (Iowa Code Chapter 8A.601-616) in response to a need to create consistent and efficient records management practices across the executive and legislative branches of government.

<https://www.legis.iowa.gov/law/iowaCode/sections?codeChapter=8A>

Manual: <https://history.iowa.gov/media/825/download?inline>

It very much depends on the classification of the record(s) in question but in most cases the retention length for legislative materials is in perpetuity. However, you would need to directly confirm that with the State Records Commission (Government Records Archivist: jeffrey.dawson@iowa.gov).

MAINE

Maine State Archives' State General Schedules and individual agency schedules (Legislature is listed as an agency) can be found here: <https://www.maine.gov/sos/arc/records/state/index.html>

Maine statute 5 MRS §95-C. Powers and duties: <https://legislature.maine.gov/statutes/5/title5sec95-C.html> (2)(A)(3) addresses retention schedules.

MINNESOTA

In the Minnesota Senate, the length of retention varies depending on the records being retained. The retention of some records is governed by Senate Rules. Records management is generally governed under MN Statutes 15.17 and 138.17. Retention schedules created by the Secretary of the Senate for the disposal or transfer of records are approved by the Records Disposition Panel established in MS 138.17. The duplicate copies of all bills introduced in a session are transferred to the state archives under the MN Historical Society.

<https://www.revisor.mn.gov/statutes/cite/15.17>

<https://www.revisor.mn.gov/statutes/cite/138.17>

These sections do not directly address legislative records.

The Records Disposition Panel at the Minnesota Historical Society (MNHS) directs the storage and disposition of state government records:

<https://www.mnhs.org/preservation/state-archives/records-panel>

Various retention schedules are also provided by MNHS:

<https://www.mnhs.org/preservation/state-archives/government>

Other relevant statutes may be found in Minn. Stat. chap. 13, the Minnesota Data Practices Act.

<https://www.revisor.mn.gov/statutes/cite/13/full>

In general, the Legislature is not subject to the Data Practices Act in ways that state agencies and other governmental entities are subject to it. See:

<https://www.lrl.mn.gov/docs/2010/other/100749.pdf>

Various sections of Minn. Stat. chap 3 (and others) address duties of the Minnesota Legislative Reference Library when it comes to collecting state documents:

<https://www.lrl.mn.gov/keymandates>

House and Senate rules also outline some duties of the Library for retaining records. These are three recent examples. Rules are subject to change each session, but rules like this have been in place for many years:

House Rule 2.15

<https://www.house.mn.gov/ccr/rules/permrule/215.htm>

House Rule 6.24

<https://www.house.mn.gov/ccr/rules/permrule/624.htm>

Senate Rule 50.2 to 50.8

<https://www.senate.mn/rules/2025/tempsenaterules2025.pdf#page=23>

As a matter of practice, the Library retains all primary records of the Legislature (e.g. hearing audio/video, committee minutes, etc.) that are in our power to retain. We also retain all state documents, though some in a digital-only format.

NEVADA

At the Legislative Counsel Bureau (LCB) in Nevada, our Divisions and Departments have varying retention schedules for different materials. Here are some of our statutory requirements:

- (LCB, Director) NRS 218B.180 (2) (<https://www.leg.state.nv.us/NRS/NRS-218B.html#NRS218BSec180>) Retain in an office of the Legislative Counsel Bureau, copies of maps of the legislative districts described in the shapefiles adopted by NRS 218B.250 and 218B.260.
- (LCB, Fiscal Analysis Division) NRS 218D.480 (3) (<https://www.leg.state.nv.us/NRS/NRS-218D.html#NRS218DSec480>) If a local government wishes to submit a fiscal note for a bill or joint resolution after the expiration of the period prescribed in paragraph (b) of subsection 2 of NRS 218D.475, the local government must submit the fiscal note to the chair of the committee or committees to which the bill or joint resolution has been referred, and a copy of the fiscal note to the Fiscal Analysis Division. The Fiscal Analysis Division shall retain the copy of the fiscal note provided by the local government.
- (LCB, Audit Division) NRS 218G.130 (1) (<https://www.leg.state.nv.us/NRS/NRS-218G.html#NRS218GSec130>) The Legislative Auditor shall keep or cause to be kept a complete file of copies of all reports of audits, examinations, investigations and all other reports or releases issued by the Legislative Auditor.
- (LCB, Research Division, Oral History Program) NRS 218A.350 (<https://www.leg.state.nv.us/NRS/NRS-218A.html#NRS218A350>) Creation; administered by Research Division; duties; powers; confidentiality; report.

Within the Standing Rules published each Session, the Houses indicate the creation of minutes of Committee meetings, which are delivered to the Research Library for processing. Here are the links to the 2023 Standing Rules, as the 2025 Rules have not yet been published to our website:

- Senate Standing Rules, found in Rule No. 53 (https://www.leg.state.nv.us/Session/82nd2023/Docs/82_SSR.pdf)
- Assembly Standing Rules, found in Rule No. 51 and 52 (https://www.leg.state.nv.us/Session/82nd2023/Docs/82_ASR.pdf)
- Joint Standing Rules, found in Rule No. 12 (https://www.leg.state.nv.us/Session/82nd2023/Docs/82_JSR.pdf)

NEW MEXICO

In New Mexico the retention schedule is set by administrative rule, especially 1.21.2.497:

https://nmonesource.com/nmos/nmac/en/item/18048/index.do#s1_21_2_497. Our records retention length is 75 years.

OREGON

These are governed by both state statutes, as well as Senate Rules.

Oregon Senate Rules (Eighty-third Assembly):

14.08 Records Retention.

(1) Except as provided in subsection (2) of this rule, records of members of the Senate and their legislative assistants that contain information relating to the conduct of the public's business must be retained for one year after the records are created.

(2) The following paragraphs are exceptions to subsection (1) of this rule.

(a) A member of the Senate must retain notices of amounts of expenses required by ORS 244.100 for five years.

(b) A member of the Senate must retain documents in support of statements of economic interest required by ORS 244.050 for five years.

(c) A member of the Senate must retain relevant documents that are in the member's possession when the member receives a public records request, or a request for discovery of records issued in a court or administrative proceeding, until the request for records is resolved.

(d) Ephemeral communications including, but not limited to, voicemail, text messages and instant messages, are not required to be retained.

(3) A member of the Senate or legislative assistant may, at any time, deliver records required to be retained under this rule to the Legislative Administrator. A person who ceases to be a member of the Legislative Assembly shall deliver records under subsection (2) of this rule to the Legislative Administrator within 60 calendar days after the member ceases to be a member. Records delivered to the Legislative Administrator under this rule must identify the person delivering the records and specify the date on which the records may be destroyed.

(4) In order to ensure consistent and timely compliance with the disclosure provisions of the Public Records Law, a member of the Senate may designate the Legislative Administrator to receive public records requests on their behalf. The Legislative Administrator then will assist the member in preparing responses to requests. Regardless of whether or not a member has designated the Legislative Administrator to receive their public records requests, the member may request assistance from the Legislative Administrator or Legislative Counsel in responding to public records requests at any time.

(5) This rule applies to all records of members of the Senate and legislative assistants, whether created before, on or after the effective date of this rule

TEXAS

Laws related to Texas legislative records can be found in Sections 324.008 and 324.0085 of the Texas Government Code:

<https://statutes.capitol.texas.gov/Docs/GV/htm/GV.324.htm#324.008>.

Rules are available at <https://lrl.texas.gov/records/Rules.cfm>.

The records retention schedule for the Texas Senate is available at

https://lrl.texas.gov/records/TexasSenateRetentionSchedule_Approved202411101.pdf

The records retention schedule for the Texas House is at

<https://lrl.texas.gov/records/Texas%20House%20Records%20Retention%20Schedule.approved.2020.pdf>

VIRGINIA

Records retention schedules are maintained by the Library of Virginia and general information regarding those schedules can be found at <https://www.lva.virginia.gov/agencies/records/>

Most state government agencies, including the House of Delegates, work within two separate schedules:

One, a General Retention Schedule for state agencies --

see https://www.lva.virginia.gov/agencies/records/sched_state/index.htm

The other, a retention schedule specific to our agency, the Virginia House of Delegates --

see https://www.lva.virginia.gov/agencies/records/sched_specific/?agencyList=101

WASHINGTON

Our retention schedule length is determined by the content of the record. Some records can be disposed of right away while other records are kept until the member leaves office, and then the records are sent to state archives for permanent retention.

In Washington State there is one general retention schedule that covers common records, and then agencies/branches have specific schedules that handles more specific records. There is a specific retention schedule for legislative records. The retention schedule is developed through the Washington State Archives working with the specific agency and then is presented to the State Records Committee for approval.