



# RECORDS RETENTION AND DISPOSITION SCHEDULE

## Secretary of State's Office

Agency: Secretary of State's Office		Division:	
ITEM NO.	RECORD SERIES	TITLE/DESCRIPTION <i>(This Retention Schedule is approved on a space-available basis)</i>	RETENTION PERIOD
1	2010-54	<b>SECRETARY OF STATE REGISTRATION DATABASE</b> This electronic database contains information on various licenses, registrations, agents, and applications. Any information previously kept on agency file cards can be found here.	DELETE database entries after ten years.
2	78-490	<b>APPOINTED OFFICIALS COMMISSIONS</b> The file consists of all commissions of appointed officials issued by the Governor.	TRANSFER to the INDIANA ARCHIVES, after four (4) years.
3	78-493	<b>OATH OF OFFICE AND SPECIAL DEPUTY APPOINTMENTS</b> The record contains certified copies of oaths.	TRANSFER to the INDIANA ARCHIVES after four (4) years.
4	78-518	<b>ENROLLED ACTS</b> These are bound originals of enrolled acts of the General Assembly.	TRANSFER to the INDIANA ARCHIVES upon completion of each volume.
5	78-576	<b>BUSINESS ENTITY FILINGS</b> Formation, amendment, and business entity reports, name reservation documents.	IMAGE hard copies according to IARA standards and add to database containing electronically submitted filings. DESTROY hard copies after verification of electronic records for completeness and legibility. TRANSFER electronic update to the INDIANA ARCHIVES annually of all entities identified as inactive since the prior update, in a format approved by Indiana Archives staff.
6	88-79	<b>EXEMPTIONS - REQUEST FOR RULING AND INTERPRETIVE OPINIONS</b> The purpose of these digitally-submitted records is to file exempted securities offerings pursuant to IC 23-19-2-3, which would include notice filings for regular exemptions and requests for rulings pursuant to IC 23-19-2-3, as well as no-action requests and interpretive opinions filed in accordance with IC 23-19-6-5(d). Disclosure of these records may be subject to IC 23-19-6-7.	TRANSFER one (1) copy of electronic records, along with an index, to the INDIANA ARCHIVES in a format approved by Indiana Archives staff, for EVALUATION, SAMPLING and WEEDING pursuant to archival principles, after one (1) year. DELETE agency copy of electronic records after five (5) years.
7	88-85	<b>INVESTIGATION AND COMPLAINT FILES</b> These files contain investigator's reports, memos, summaries and complaints. The file may also include evidence such as a cancelled check written to an alleged securities violator. Disclosure of these records may be subject to IC 23-19-6-7, (2007 Supplement)	TRANSFER to the RECORDS CENTER after completion of the investigation. DESTROY after an additional ten (10) years in the RECORDS CENTER.TOTAL RETENTION: Ten (10) years after completion of the investigation.
8	88-89	<b>CONTINUING CARE REGISTRATION FILES</b> Files typically contain the name, application, disclosure statement, financial statement and receipts for filing fees. These are electronic records.	TRANSFER electronic records to the INDIANA ARCHIVES annually, along with an index, in a format approved by Indiana Archives staff. DELETE agency copy of electronic record five (5) calendar years after termination.  TRANSFER any paper records created prior to 2010 to the INDIANA ARCHIVES for EVALUATION, SAMPLING or WEEDING pursuant to archival principles five (5) calendar years after termination.

9	88-95	<b>OFFICIAL ADMINISTRATIVE PROCEEDINGS FILES</b> These have the initiating subpoena, Administrative Complaint and Order, any motions, subpoenas, responses from the alleged violator and any final orders subsequent to the initiating action.	TRANSFER to the RECORDS CENTER five (5) years after the close of action proceedings. TRANSFER to the INDIANA ARCHIVES for EVALUATION, SAMPLING or WEEDING pursuant to archival principles after an additional twenty (20) years in the RECORDS CENTER. TOTAL RETENTION prior to INDIANA ARCHIVES transfer: Twenty-five (25) years after the close of action.
10	2003-06	<b>ACTIVE REGISTERED TRADEMARKS DATABASE</b> This official record of trademark filings includes initial applications, renewals, assignments and change of ownership filings, and is accompanied by a visual representation of the trademark itself.	TRANSFER electronic update to the INDIANA ARCHIVES annually of all trademarks that have expired since the prior update, in a format approved by Indiana Archives staff. DELETE database if the INDIANA GENERAL ASSEMBLY repeals active trademark registration statutes.
11	2010-01	<b>COLLECTION AGENCY PACKETS</b> This record consists of State Form Number 40495, Application for Collection Agency License-Securities Division. These are electronic records.	DELETE the electronic records five (5) calendar years after the collection agency is no longer licensed. DESTROY any hard copy records after verification of the electronic data.
12	2010-03	<b>SECURITIES REGISTRATIONS</b> A typical file consists of State Form Number 15849, Uniform Application to Register Securities, correspondence, filing fee receipts and any updates. This registration is valid for one (1) year. These are electronic records.	DELETE electronic records five (5) calendar years after termination of the security and after receipt of STATE BOARD OF ACCOUNTS Audit Report and satisfaction of unsettled charges. DESTROY any hard copy records after verification of the electronic data.  Transfer any paper copies created prior to 2010 to the Records Center after termination. Destroy after an additional five (5) years in the Records Center. TOTAL RETENTION: Five (5) years after termination.
13	2010-04	<b>ISSUER-AGENT APPLICATIONS</b> An issuer-agent works for only one (1) particular securities issuer and sells securities for only that securities issuer, that is, that specific company. These issuer-agents are not registered with the National Association of Securities Dealers in Rockville, Maryland. A typical file may contain the original application, federal form U-4, Uniform Application for Securities Registration or Transfer, receipts for fees, State Form Number 41661, Certificate of Agent Registration, and/or State Form Number 26203, Application for Restricted Agent Registration, and/or correspondence. These are electronic records.	DELETE electronic records five (5) calendar years after withdrawal and after receipt of STATE BOARD OF ACCOUNTS Audit Report and satisfaction of unsettled charges. DESTROY any paper records after verification of the electronic data.
14	2010-33	<b>NOTARY SERVICES</b> Includes an application, fees and other pertinent transactions. Since 2009, all records have been submitted electronically; prior to that date, original paper documents may have been received.	DELETE eight (8) years after the end of the calendar year in which the notary commission expires, and after receipt of STATE BOARD OF ACCOUNTS Audit Report and satisfaction of unsettled charges.
15	2010-34	<b>MOTOR VEHICLE DEALER LICENSING</b> A potential dealer submits an application for each type of motor vehicle or watercraft licensing desired. A typical file will show the business structure, that is, sole proprietorship, partnership, or corporation; dealer location(s), and political subdivision approval. The applicant may sell new or used vehicles, motorcycles or watercraft. Fees are required. If a licensee does not renew within 30 days of the license expiration, it is deemed inactive. Disclosure of these records may be subject to IC 4-1-10-1, IC 5-14-3-4(a)(3), and IC 6-8.1-7-1. Retention consistent with IC 9-22-3-20.	IMAGE according to IARA imaging standards on receipt. DESTROY hard copies after verification of images for completeness and legibility. DELETE electronic records five (5) years after dealer becomes inactive, and after receipt of STATE BOARD OF ACCOUNTS Audit Report and satisfaction of unsettled charges.

16	78-491	<b>PUBLIC OFFICIAL BONDS - ACTIVE</b> Retention based on IC 4-5-1-2, (2004 Edition to 2006 Supplement)	DESTROY five (5) years after termination of the bond period.
17	78-492	<b>PROCLAMATIONS AND EXECUTIVE ORDERS</b> These are copies of official proclamations and executive orders, pursuant to IC 4-5-2-1, (2004 Edition)	TRANSFER to the INDIANA ARCHIVES at the end of each month.
18	78-496	<b>PUBLIC OFFICIAL BOND LOG</b>	TRANSFER to the INDIANA ARCHIVES fifteen (15) years after completion of each book.
19	78-517	<b>ENROLLED ACT LOG</b> A chronological log of enrolled acts of the General Assembly.	TRANSFER to the INDIANA ARCHIVES upon completion of each volume.
20	78-522	<b>SEALS (OF VARIOUS BOARDS AND COMMISSIONS)</b> Records are filings made by various state boards, commissions, agencies, etc. of the official seals they have adopted.	TRANSFER to the INDIANA ARCHIVES after three (3) years.
21	78-523	<b>JUDICIAL NOMINATING COMMISSION APPOINTMENTS</b> This has correspondence from the Governor indicating an appointment to the Judicial Nominating Commission.	TRANSFER to the INDIANA ARCHIVES after six (6) years.
22	78-525	<b>MOTOR CLUB FILINGS</b> The digitally-submitted file contains applications, bonds and correspondence of registered motor clubs. The file may include the Application and Plan of Motor Club, pursuant to IC 9-30-2-8. There is a filing fee for the annual renewal.	DELETE after receipt of STATE BOARD OF ACCOUNTS Audit Report and satisfaction of unsettled charges.
23	78-566	<b>UCC FILING STATEMENTS</b> UCC financing statements and amendments. Retention based on IC 26-1-9.1-522.	IMAGE according to IARA imaging standards on receipt. DESTROY hard copies after verification of electronic records for completeness and legibility. DELETE information one (1) year after the effectiveness of the financing statement has lapsed, and after receipt of STATE BOARD OF ACCOUNTS Audit Report and satisfaction of unsettled charges.
24	78-623	<b>SECURITIES AUDIT FILES</b> These digitally-created audit sheets are prepared by staff when in the field. Disclosure of these records may be subject to IC 23-19-6-7(b)(1).	DELETE after five (5) years.
25	78-635	<b>INVESTMENT ADVISER FILES</b> These digitally-submitted records contain all active and terminated investment advisers and/or their representatives in this state.	DELETE five (5) years after the license status becomes inactive.
26	83-938	<b>FRANCHISE REGISTRATION AND EXEMPTION DETERMINATION</b> These are electronically submitted for franchise offerings registered in this state pursuant to IC 23-2-2.5-10.5 and determinations by the Commissioner that a franchise offering is exempt from registration pursuant to IC 23-2-2.5-8. Retention is partially based on IC 23-2-2.5-48(c).	DELETE electronic records five (5) calendar years after completion of registration with the INDIANA SECRETARY OF STATE.
27	88-91	<b>LOAN BROKER REGISTRATION FILES</b> Files typically contain name, application, disclosure statement, financial statement and receipts for filing fees. These are electronic records.	DELETE electronic records ten (10) calendar years after termination and after receipt of STATE BOARD OF ACCOUNTS Audit Report and satisfaction of unsettled charges. DESTROY any paper records after verification of the electronic data.  Transfer any paper copies created prior to 2010 to the Records Center. Destroy after an additional ten (10) years in the Records Center. TOTAL RETENTION: Ten (10) years after termination.

28	90-189	<p><b>REQUISITIONS WARRANTS - INACTIVE -- DELETED (This series is obsolete, but some records still exist in the Records</b></p> <p>[Record Series history note: this series is obsolete; no new records may be accepted under this number. It is marked current only because already-transferred records still exist in the State Records Center which have not yet reached their disposal date.]</p> <p>Retention based on Rule 10, Rules of Criminal Procedure, Indiana Rules of Court-State, (January 1, 2010 Edition)</p>	<p>TRANSFER to the RECORDS CENTER after three (3) years. DESTROY after an additional fifty-two (52) years in the RECORDS CENTER. TOTAL RETENTION: Fifty-five (55) years.</p>
29	2016-24	<p><b>MOTOR VEHICLE DEALER INVESTIGATIONS</b></p> <p>These files contain investigator's reports, memos, summaries, complaints, evidence and supporting documents. Disclosure of these records may be subject to IC 23-19-6-7.</p>	<p>IMAGE according to IARA imaging standards on receipt. DESTROY hard copies after verification of images for completeness and legibility. DELETE electronic records ten (10) years after completion of the investigation.</p>