



# 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	<p><b>SECRETARY OF STATE REGISTRATION DATABASE</b></p> <p>This electronic database contains information on various licenses, registrations, agents, and applications. Any information previously kept on agency file cards can be found here.</p>	DELETE database entries after ten years.
2	78-490	<p><b>APPOINTED OFFICIALS COMMISSIONS</b></p> <p>The file consists of all commissions of appointed officials issued by the Governor.</p>	TRANSFER to the INDIANA ARCHIVES, after four (4) years.
3	78-493	<p><b>OATH OF OFFICE AND SPECIAL DEPUTY APPOINTMENTS</b></p> <p>The record contains certified copies of oaths.</p>	TRANSFER to the INDIANA ARCHIVES after four (4) years.
4	78-518	<p><b>ENROLLED ACTS</b></p> <p>These are bound originals of enrolled acts of the General Assembly.</p>	TRANSFER to the INDIANA ARCHIVES upon completion of each volume.
5	78-576	<p><b>BUSINESS ENTITY FILINGS</b></p> <p>This official record of business entity filings includes formation documents, amendments, officer and agent updates, and name reservations. It is required pursuant to IC 23-1.</p>	<p>TRANSFER all hard copy records identified as inactive in or prior to 2006 to the INDIANA ARCHIVES for EVALUATION, SAMPLING and WEEDING pursuant to archival principles.</p> <p>IMAGE all post-2006 records according to IARA imaging standards on receipt, and TRANSFER hard copies to the INDIANA ARCHIVES for EVALUATION, SAMPLING and WEEDING pursuant to archival principles after one (1) year and after verification of electronic records for completeness and legibility.</p> <p>TRANSFER electronic copy of each file to the INDIANA ARCHIVES for EVALUATION, SAMPLING and WEEDING pursuant to archival principles, one (1) year after it is determined to be inactive.</p>
6	88-79	<p><b>EXEMPTIONS - REQUEST FOR RULING AND INTERPRETIVE OPINIONS</b></p> <p>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.</p>	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	<p><b>INVESTIGATION AND COMPLAINT FILES</b></p> <p>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)</p>	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	<p><b>CONTINUING CARE REGISTRATION FILES</b></p> <p>Files typically contain the name, application, disclosure statement, financial statement and receipts for filing fees. These are electronic records.</p>	<p>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.</p> <p>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.</p>
9	88-95	<p><b>OFFICIAL ADMINISTRATIVE PROCEEDINGS FILES</b></p> <p>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.</p>	<p>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.</p>
10	2003-06	<p><b>ACTIVE REGISTERED TRADEMARKS DATABASE</b></p> <p>An Application for Registration of Trademark/Service Mark, State Form Number 4430, is scanned into this computer database. There is a \$10.00 filing fee. The registered trademark application can be cross-referenced and retrieved alphabetically, by registration number, certificate number, date the application was received in the Office of the Secretary of State and the date it was entered into the database. Other data elements could be State Form Number 2927, Application for Renewal of Trademark/Service Mark, and/or Assignment of Trademark/Service Mark, State Form Number 48258 and the certificate. All registrations, renewals and assignments are valid for ten (10) years from the date of registration and may be renewed for a like term. Three (3) specimens or facsimiles of the trademark shall accompany the application for registration. A registered trademark that has not been renewed is cancelled or expired per IC 24-2-1-10, 2004 Edition to 2006 Supplement. In accordance with IC 24-2-1-9, 2004 Edition to 2006 Supplement, the Secretary of State shall keep for public examination a record of all trademarks registered or renewed.</p>	<p>SCAN into the computer database after receipt of the application or assignment by the SECRETARY OF STATE. TRANSFER original paper applications and two (2) specimens from each active registered trademark to the INDIANA ARCHIVES for EVALUATION, SAMPLING or WEEDING pursuant to archival principles; after verification of the scanned image. ELECTRONICALLY DELETE expired registrations one (1) year after non-renewal. ELECTRONICALLY DELETE the Active Registered Trademarks Database if the INDIANA GENERAL ASSEMBLY repeals active trademark registration statutes.</p>
11	2010-01	<p><b>COLLECTION AGENCY PACKETS</b></p> <p>This record consists of State Form Number 40495, Application for Collection Agency License-Securities Division. These are electronic records.</p>	<p>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.</p>
12	2010-03	<p><b>SECURITIES REGISTRATIONS</b></p> <p>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.</p>	<p>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.</p> <p>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.</p>

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. Retention based on IC 33-42-2-1(b).	IMAGE all hard copies according to IARA imaging standards, and DESTROY after verification of electronic records for completeness and legibility. DELETE electronic records eight (8) calendar years after 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	78-495	<b>SUMMONS INFORMATION SHEET</b> Files are photocopies of service affidavits, receipt/request for service, and certified mail returns, which have been returned to the courts.	DESTROY after two (2) years.
19	78-496	<b>PUBLIC OFFICIAL BOND LOG</b>	TRANSFER to the INDIANA ARCHIVES fifteen (15) years after completion of each book.
20	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.
21	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.
22	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.
23	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.

24	78-566	<b>UCC FINANCING STATEMENTS</b> Pursuant to IC 26-1-9.1-501(a) and (b), 2004 Edition, the office of the Secretary of State is usually the office in which to file a financing statement. IC 26-1-9.1-502, 2004 Edition, sets forth the contents of a UCC Financing Statement, State Form Number 50181. IC 26-1-9.1-509, 2004 Edition, permits the filing of an amendment. Disclosure of these records may be subject to IC 26-1-9.1-519, (2004 Edition). Retention based on IC 26-1-9.1-522, (2004 Edition)	DELETE information electronically one (1) year after the effectiveness of the financing statement has lapsed under IC 26-1-9.1-515 with respect to all secured parties of record and after receipt of STATE BOARD OF ACCOUNTS Audit Report and satisfaction of unsettled charges. DESTROY hard copy records after verification of the electronic data.
25	78-567	<b>UCC FINANCING STATEMENT AMENDMENT</b> In accordance with IC 26-1-9.1-509, 2004 Edition, an amendment or amendments may be filed. (State form Number 50182). Disclosure of these records may be subject to IC 26-1-9.1-519, (2004 Edition). Retention based on IC 26-1-9.1-522, (2004 Edition)	DELETE information electronically one (1) year after the effectiveness of the financing statement has lapsed under IC 26-1-9.1-515 with respect to all secured parties of record and after receipt of STATE BOARD OF ACCOUNTS Audit Report and satisfaction of unsettled charges. DESTROY hard-copy records after verification of the electronic data.
26	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.
27	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.
28	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.
29	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.
30	90-132	<b>INDIANA BUSINESS ENTITY REPORT</b> In accordance with IC 23-1-53-3, most corporations are required to file a biennial report with the Secretary of State. All non-profit corporations (domestic and foreign) must file annual reports in the anniversary month of incorporation. A filing fee is required with the filed reports. There are electronic and paper components of these records. The Indiana Business Entity Report (SF 48725) is signed under the penalties of perjury. Retention partially based on IC 34-11-2-7(4).	IMAGE according to IARA imaging standards on receipt. DESTROY hard copies after verification of electronic records for completeness and legibility. DELETE ELECTRONIC RECORDS ten (10) years after receipt of the report and after receipt of STATE BOARD OF ACCOUNTS Audit Report and satisfaction of unsettled charges.

31	90-189	<p><b>REQUISITIONS WARRANTS - INACTIVE -- DELETED (This series is obsolete, but some records still exist in the Records</b>  [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>
32	2016-24	<p><b>MOTOR VEHICLE DEALER INVESTIGATIONS</b>  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>