

**RHODE ISLAND GOVERNMENT REGISTER  
PUBLIC NOTICE OF PROPOSED RULEMAKING**

**DEPARTMENT OF STATE**

**Title of Rule:** Records Management

**Rule Identifier:** 100-RICR-40-05-1

**Rulemaking Action:** Proposed Adoption

**Important Dates:**

Date of Public Notice: 10/09/2018

End of Public Comment: 11/08/2018

**Authority for this Rulemaking:**

R.I. Gen. Laws § 38-3-1 et seq.

R.I. Gen. Laws Title 38

**Summary of Rulemaking Action:**

100-RICR-40-05-1 defines the role of an Agency Records Officer and provides the step by step processes for the drafting and use of a Records Retention Schedule, storage and disposition of public records, records maintenance, and the standards required for digitization and scanning of public records. This rule is intended to clarify the purpose of the Public Records Administration and its role in records management in the state. In connection with this proposed adoption, the Department proposes to repeal 100-RICR-40-05-2, "Rules and Regulations for Microfilm Standards" and 100-RICR-40-05-3, "Rules and Regulations for the Making and Management of Imaged Public Records," which contained technical and complicated processes. With this new adoption, the Public Records Administration will continue to require adherence to industry and national standards for preservation and digitization while making the process of records retention and management easy to understand.

The imaging and microfilm standards Federal Information Processing Standards (FIPS) ANSI/AIIM MS44-1988 (R1993), ANSI/AIIM MS19-1993, and International Organization for Standardization protocol ISO 19005-1 (2005) have been transferred from 100-RICR-40-05-2 and 100-RICR-40-05-3, which the Department is proposing to repeal, and integrated into this new, comprehensive proposed adoption. Additionally, the Department has transferred the definitions of "Agency," "Born digital," "Record copy," "Record series," "Records Control Schedule," and "Scanning" from 100-RICR-40-05-2 and 100-RICR-40-05-3 and updated those definitions for inclusion in § 1.4 of this adoption.

**Additional Information and Comments:**

All interested parties are invited to request additional information or submit written or oral comments concerning the proposed adoption until November 8, 2018 by contacting the appropriate party at the address listed below:

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In accordance with R.I. Gen. Laws § 42-35-2.8, an oral hearing will be granted if requested by twenty-five (25) persons, by an agency or by an association having at least twenty-five (25) members. A request for an oral hearing must be made within thirty (30) days of this notice.

**Regulatory Analysis Summary and Supporting Documentation:**

The proposed adoption will have little to no impact on small business. The requirements in this proposed adoption do not differ monetarily from the requirements in the currently effective regulations concerning public records administration.

For full regulatory analysis or supporting documentation see agency contact person above.