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TITLE 100 – DEPARTMENT OF STATE

CHAPTER 50 – PUBLIC RECORDS ADMINISTRATION

SUBCHAPTER 40 – LOCAL GOVERNMENT RECORDS RETENTION SCHEDULES

PART 1 – MUNICIPAL CLERK RECORDS (LG1)

1.1 Purpose, Authority, Severability, and Destruction

1.1.1 Purpose

To establish the official retention, maintenance, and disposal requirements for a public record based upon any administrative, legal, fiscal, and/or historical value related to that record created or received by an agency, department, division, board, commission, office, or quasi-public corporation under any branch of State or local government which performs functions relating to government, or acts on behalf of a governmental agency, pursuant to law or relating to the transaction of public business.

1.1.2 Authority

This Regulation is promulgated pursuant to the authority granted in R.I. Gen. Laws Title 38 (“Public Records”), including expressly but without limitation R.I. Gen. Laws §§ 38-3-1 et seq.

1.1.3 Severability

If any provision of these Regulations or the application thereof to any Person or circumstances is held invalid by a court of competent jurisdiction, the validity of the remainder of the regulations shall not be affected thereby.

1.1.4 Destruction Review Procedure

Government employees should also consult with their administration to determine if any records eligible for destruction may be involved in current, pending, or anticipated litigation, any government investigation or regulatory proceeding, or request under the Access to Public Records Act. (Part 10-2 of this Chapter (Legal Records) and R.I. Gen. Laws Chapter 38-2)

LG1.1 Real and Personal Property Records

LG1.1.1 Land Evidence Records

Official or record copy of all instruments recorded in the general index of land evidence records of the municipality (R.I. Gen. Laws § 34-13-1). Includes all instruments that document land ownership and transfer including those records and supporting documentation which show agreements, land changes and development in the community. Includes but is not limited to: Letters of Attorney, Contracts for sale of land, Bonds for title or covenants, Notices (R.I. Gen. Laws § 9-4-9), Notices and process to be filed under other statutory provisions, Decrees in equity and judgments at law affecting title, All instruments evidencing or relating to a security interest in personal property or fixtures (UCC) (R.I. Gen. Laws §§ 6A-9-302, 6A-9-401, and 6A-9-403), Instruments required by statute to be recorded including deeds, mortgages, transfers and discharges, leases or memoranda, transfers and calculations, Instruments of defeasance, Instruments creating trusts (excepting wills), Instruments and notices affecting title of land, Affidavits as to family facts, Affidavits as to bounds and monuments of land, and Certificates of the Secretary of State as to change of corporate name.

LG1.1.1A Personal Property (Chattel) Mortgages (Replaced by UCC Financing Statements) and Indexes

Retention: Destroy. Retain prior to 1920.

LG1.1.1B UCC Financing Statements (If Not Filed in the General Index and Scanned into Land Evidence Records)

Retention: Retain one (1) year after the effectiveness of the financing statement has lapsed or is terminated/released. (R.I. Gen. Laws § 6A-9-522(a))

Note: UCC financing statements are effective for a period of five (5) years after the date of filing. A record of a mortgage that is effective as a financing statement filed as a fixture filing under R.I. Gen. Laws § 6A-9-502(c) remains effective as a financing statement filed as a fixture filing until the mortgage is released or satisfied of record or its effectiveness otherwise terminates as to the real property. Except as otherwise provided in R.I. Gen. Laws §§

6A-9-502(e), (f), and (g), an initial financing statement filed in connection with a public-finance transaction or manufactured-home transaction is effective for a period of 30 years after the date of filing if it indicates that it is filed in connection with a public-finance transaction or manufactured-home transaction. (R.I. Gen. Laws 6A-9-515(a))

LG1.1.1C All Other Records

Retention: Permanent. Microfilm for security and store master film offsite.

LG1.1.2 Receiving Books/Day Sheets

Initial recording of instruments entitled to be recorded in the land evidence records. Includes day, hour and minute instrument was presented for recording, and land evidence book and page notation (R.I. Gen. Laws § 34-13-4). May include name of grantor and grantee and type of instrument recorded.

Retention: Retain three (3) years.

LG1.1.3 Copies of Land Evidence Filings [OBSOLETE]

LG1.1.4 Earmarks

Records the registration of livestock within the municipality.

Retention: Permanent.

LG1.1.5 Tax Books

Records that indicate all assessed taxes on real and personal property. Includes name of owner of property, address, assessed worth and exemptions.

Note: Official or record copy may be held by Municipal Tax Collector.

LG1.1.5A Authorized or Warranted Copies of Tax Books, Rolls, or Lists

Retention: Permanent.

LG1.1.5B Duplicate Copies

Retention: Retain until updated or superseded.

LG1.1.6 Assessor's Maps

Copies of land value maps which show assessor's plat and lot numbers.

Retention: Retain until updated or superseded.

Note: Official or record copy should be held by Municipal Tax Assessor.

LG1.1.7 Recorded Surveys

Plan or map showing the measurements, dimensions, descriptions, boundaries, areas, and contours of a parcel of property. (R.I. Gen. Laws § 34-13-1)

Retention: Permanent.

LG1.1.8 Plat Maps

Plat map or plat book that contains the legal description of land, showing the division of the land into streets, blocks and lots and indicating the measurements of the individual parcels. Indicates legal plat and lot numbers. (R.I. Gen. Laws § 34-13-1)

Retention: Permanent.

LG1.1.9 Condo Maps

Includes name and boundary survey of condominiums, legal description, location, and dimensions. (R.I. Gen. Laws § 34-36.1-2.09)

Retention: Permanent.

LG1.1.10 State Highway Maps

State Highway Maps filed by the Rhode Island Department of Transportation (RIDOT) indicating the taking of municipal property by condemnation. Information includes condemnation plat and lot numbers and plat, lot, and parcel descriptions.

Retention: Permanent.

Note: Original copy held by the Rhode Island Department of Transportation.

LG1.1.11 Indices

Location and cross-reference systems devised and maintained for the purpose of retrieving land records, plans, drawings, maps, and any other records filed per statute. Includes Grantor/Grantee index.

Retention: Retain until updated or superseded.

LG1.1.12 Hospital Lien Docket

Register which records the filing of any lien claim under the provisions of R.I. Gen. Laws §§ 9-3-4 through 9-3-7.

Retention: Retain ten (10) years from last entry.

LG1.1.13 Notices of Removal of Household Goods, Chattels and Personal Effects of Residents

Report indicating removal of household goods, chattels, and personal effects from one residence to another. (R.I. Gen. Laws § 5-17-2)

Retention: Retain six (6) years after filing.

LG1.1.14 Business Name Register

Record that registers the names of businesses located within the municipality. Includes name and address of owner and date of registration.

Retention: Retain until of no administrative value, then review for historical value.

LG1.1.15 Hospital Liens

Notices of hospital liens and releases of hospital liens filed with the municipality. (R.I. Gen. Laws § 9-3-5)

Retention: Retain three (3) years from date of filing of release.

LG1.1.16 Foreclosure Notices

Relative to R.I. Gen. Laws § 34-27-3.2 (Mortgage Foreclosure and Sale), notices were filed with the municipal clerk beginning in 2013. This section was repealed in its entirety per Pub. Laws 24-403 Article 3 §§ 3 and 4, effective June 26, 2024. This process may be enumerated in municipal ordinance. If the foreclosure takes place, the notice and deed are filed in the land evidence records. If the notice does not lead to foreclosure, the notice becomes invalid. This series includes the certified notice filed by legal counsel and may include receipts. This is an obsolete record series.

Retention: Retain notices filed in 2024 one (1) year.

Note: In the event this law is reintroduced and passed by the General Assembly, retain invalid notices one (1) year.

LG1.2 Probate Records

LG1.2.1 Probate Records (Dockets)

All records relating to the legal establishment of the validity of a will. Includes but it is not limited to administrator's or executor's bonds, inventories, petitions, (including withdrawn or denied), fee cards, wills, notices of probate hearings and inheritance tax liens.

Retention: Permanent.

LG1.2.2 Probate Records Indices

Location and cross-reference systems devised and maintained for the purpose of retrieving probate and estate records.

Retention: Retain until updated or superseded.

LG1.2.3 Wills

Wills deposited to be safely kept per R.I. Gen. Laws § 33-7-1. Per Pub. Laws 08-306, this requirement was repealed effective December 31, 2008 (see R.I. Gen. Laws § 33-7-7.1). This series now includes certified mail receipts and release or receipt forms.

Retention: Retain release forms one (1) year from date of signing. Retain certified mail receipts and documentation (including wills) one (1) year from the date of issuance of the certified mail notice.

Note: Wills that had been filed under R.I. Gen. Laws § 33-7-1 before the requirement was repealed, and do not include contact information, should be retained 75 years from deposit date.

LG1.2.4 Probate Stenograph and Electronic Recordings

Recordings of probate proceedings made by the probate clerk at the request of the presiding probate judge. (R.I. Gen. Laws §§ 8-9-7 and 33-22-19.1)

Retention: Retain recording one (1) year from the date of hearing.

LG1.2.5 Probate Proceedings Sign-In Sheets

Record used to record attendance of attendees of probate proceedings.

Retention: Retain one (1) year from the date of hearing.

LG1.2.6 Court orders – Attorney disbarments

Orders received from the Rhode Island Supreme Court informing Probate, or other local courts, of disbarments/suspensions of practicing attorneys. Records may be received in paper or electronic formats (e.g., pdf).

Retention: Retain of no further administrative value but not less than three (3) years.

LG1.3 Vital Records

LG1.3.1 Birth, Marriage and Death Records

Births, marriages, and deaths registered in the municipality. Includes marriage intentions, marriages licenses (VS 70), delayed births, juvenile marriages (R.I. Gen. Laws § 15-2-11) and recorded out of state deaths of residents.

Retention: Permanent.

LG1.3.2 Birth, Marriage and Death Returns

Individual filings of births, marriages and deaths occurring within the municipality.

Retention: Permanent.

Note: Returns were created prior to July of 1921 in addition to the registers. Returns may be transferred to the State Archives.

LG1.3.3 Marriage and Civil Union License Worksheets

Rhode Island Department of Health Forms (including, but not limited to, VS-4A, VS-74, VS-MCU, VS-75 and VS-77) required for the issuing of marriage and civil union licenses.

Retention: Retain until digital record is uploaded. Certificate of Records Destruction is not required for disposal.

LG1.3.4 Vital Records Requests

Requests for certified or non-certified copies of birth, marriage, and death records.

LG1.3.4A Requests for Restricted Vital Records

Retention: Retain three (3) years.

LG1.3.4B Requests for Open Vital Records

Retention: Retain one (1) year.

LG1.3.5 Vital Records Indices

Location and cross-reference systems devised and maintained for the purpose of retrieving birth, marriage, and death records.

Retention: Retain until updated or superseded.

LG1.3.6 Cemetery Records

Agreements, burials, deeds, perpetual care agreements (R.I. Gen. Laws § 23-18-8.1) indexes, and registers. (R.I. Gen. Laws § 23-18-10.1 and Pub. Laws 11-117)

Retention: Permanent.

LG1.3.7 Burial Transit Permits

Department of Health Form (VS-9) for burial and transit. May include out-of-state permits. (R.I. Gen. Laws § 23-3-18)

Retention: Permanent.

LG1.3.8 Disinterment, Transit, and Re-interment Permits

Department of Health Application (VS-29) for disinterment, transit, and re-interment. (R.I. Gen. Laws § 23-18-11.2)

Retention: Permanent.

LG1.3.9 Safety Paper Logs

Log kept as part of the prescribed security procedures for issuing certified birth, marriage, and death records from numbered safety paper. Log indicates whether a blank safety paper certificate was issued, voided, or missing.

Retention: Cut off at end of calendar year and retain ten (10) years.

Note: All safety paper voids are considered non-records and should be destroyed per DOH policy.

LG1.4 Administration

LG1.4.1 Blasting Notifications

Notifications and copies of blasting permits issued by the State Fire Marshall's Office sent to and signed and date stamped by municipal clerk. Indicates date approved, requester's name and address and date of expiration. May include attached correspondence by other municipal offices indicating approval or objections to project.

Retention: Retain one (1) year.

LG1.4.2 State Regulatory Agency Notices

Notices by state regulatory agencies forwarded to municipal clerk pursuant to statutory regulations. May include but not limited to copies of locus maps, surveys, meeting notices, meeting cancellation notices, notices of applications filed for state assent, agency findings and decisions, meeting agendas, preliminary determinations, and description of projects.

Retention: Retain one (1) year.

LG1.4.3 Licenses and Permits

Includes application information or other documentation in connection with a state or local licensing/permit process. May include but not limited to dog licenses, hunting and fishing, private detective, peddler, auto salvage, flea market, filling station, Sunday sales, home operation permits, liquor, and firearms.

LG1.4.3A If Licensing Authority: Firearms and Alcoholic Beverages

Retention: Retain ten (10) years after expiration.

LG1.4.3B If Licensing Authority: All Other Licenses and Permits

Retention: Retain three (3) years after expiration.

LG1.4.3C If Not Licensing Authority: Copies and Notifications/Notices of Licenses and Permits Issued

Retention: Retain one (1) year.

LG1.4.4 Military Discharges

Honorable discharges and/or separation papers filed in the office of the municipal clerk. (R.I. Gen. Laws § 30-18-1)

Retention: Permanent.

LG1.4.5 Registers

Appointed officials, clergy, and physicians.

Retention: Permanent.

LG1.4.6 Claims

Claims filed against the municipality for compensation. Includes but is not limited to initial letter of contact with municipality, attorneys' correspondence to municipality, copies of court judgments, motions to dismiss, copies of receipts for payment of damages, and estimates citing damage.

LG1.4.6A Paid or Settled Claims

Retention: Retain seven (7) years after settlement.

LG1.4.6B Claims Referred to Subcontractor in Charge of Project or State Agency

Retention: Retain three (3) years.

LG1.4.6C Denied Claims

Retention: Retain three (3) years from date of decision.

LG1.4.7 Reports

Internally generated reports including reports and returns to other municipal departments and state agencies.

LG1.4.7A Daily and Weekly Reports

Retention: Retain one (1) year.

Note: Reports required in audit process must be retained one (1) year after audit is completed.

LG1.4.7B Monthly, Quarterly, and Periodic Reports

Retention: Retain three (3) years.

LG1.4.7C Annual and Special Reports and Studies

Retention: Permanent.

Note: Official or record copy of annual reports generated by departments of municipal governments should be held by the agency that created the report.

LG1.4.8 Legal Advertisements

Notices sent by the municipal clerk to newspaper(s) for publication. Content includes time, date and location of meeting, and topics to be discussed or considered. May indicate which newspapers received notice(s), where notice was posted, and which municipal officials received copies. May include but not limited to meeting notices of council, notices indicating changes in operating hours of municipal offices, invitation to submit bids and proposals, tax assessor's notices, decrees of abandonment, and licenses to be considered before council.

Retention: Retain three (3) years.

See Also: For official or record copy of Council, commissions, committees, boards, or Financial Town meeting notices, see LG4.1 (Meetings and Hearings).

LG1.4.9 Certificates of Records Destruction [LEGACY – DUPLICATE]

Certification of Records Destruction forms signed by authorized agency official and submitted to, and signed by, the State Archivist/Public Records Administrator. Certificates authorize the disposal of records listed in this and other applicable schedules. (R.I. Gen. Laws §§ 38-1-10, 38-3-6, and 42-8.1-10)

Retention: Permanent.

See Also: This record series is for information only, see GRS6.8B (Certificates of Records Destruction).

LG1.4.10 Business Registration Records [OBSOLETE]

Series documents fee-based registrations of businesses within the municipalities per R.I. Gen. Laws § 6-1-2. Includes applications for new and renewed trade name certificates and home operation permits.

Retention: Retain existing records (including inactive records not transferred) until active records are migrated to the Department of State Trade Name Registry but no sooner than January 1, 2027.

LG1.4.11 Business Registration Index [OBSOLETE]

Alphabetical index of filings relative to R.I. Gen. Laws § 6-1-2.

Retention: Retain existing records (including inactive records not transferred) until active records are migrated to the Department of State Trade Name Registry but no sooner than January 1, 2027.

LG1.4.12 Designation of Agent of Nonresident Landlord

Form filed per R.I. Gen. Laws § 34-18-22.3 for purposes of service of process.

Retention: Retain until updated, superseded, or obsolete.

Note: This form is also filed with the Office of the Secretary of State, Corporations Division.

LG1.4.13 Bonds of Elected and Appointed Officials

Surety bonds submitted by elected and appointed officials. (R.I. Gen. Laws §§ 45-7-1, 45-7-4, and 45-8-1)

Retention: Retain seven (7) years after termination.

LG1.4.14 Lien Reports and Billing Records

Reports and billing records created for the purpose of the recording of any lien, release, withdrawal, or revocation in the land records of the cities and towns. Includes correspondence, document listing, summaries as well as invoices generated by the municipality for payment to the agency for the cost of the recording. May include but not limited to IRS lien and state lien records.

Retention: Retain seven (7) years.

LG1.4.15 Poor Farm Records

Records that document the activities of the Overseer of the Poor and the municipal poor farm. May include admissions logs, annual reports, books of indentures, account books and property records.

Retention: Permanent.

LG1.4.16 Restoration, Conservation and Reformatting Records

Records documenting the restoration and conservation of records of permanent, historical, or long-term value. Also includes documentation on the microfilming or imaging of records. Records include but are not limited to, final contracts and agreements, requisition and purchase orders, reports and logs, quality control documentation and correspondence.

LG1.4.16A Requisitions and Purchase Orders [SUPERSEDED]

See Also: For associated retention, see LG2.4.4 (Requisitions and Purchase Orders).

LG1.4.16B All Other Records

Retention: Permanent.

LG1.4.17 Genealogical Society of Utah Reproduction Records

Records that document the microfilming and /or imaging, supply and sale or Rhode Island public records produced by the Genealogical Society of Utah (GSU). Records include, but are not limited to, Memoranda of Understanding, operator reports, transmittal lists and permissions for organizations to purchase films/images.

Retention: Permanent.

LG1.4.18 Lobbyist Reports

Reports and registration forms/data filed with the municipality per requirements of municipal ordinance. Includes annual application, quarterly reports, and final reports. Application and reports may be filed electronically per the requirements of the ordinance. Data may be made available to the public through the municipal website. May include compiled reports or summaries as required.

LG1.4.18A Lobbyist Financial Reports, Applications, and Registration Forms

Retention: Retain six (6) years.

LG1.4.18B Lobbyist Final Reports

Retention: Retain twenty (20) years.

LG1.4.18C Annual/Summary Reports or Lists Prepared and/or Published

Retention: Permanent.

LG1.4.19 Planning Board Training Statements

Statements of training completed by Planning Board/Commission members asserting that training and education classes have been completed per R.I. Gen. Laws § 45-22-7(j). Certification for this training is required every two (2) years and statements are filed with the municipal clerk.

Retention: Retain one (1) year after expiration.

LG1.4.20 Municipal Identification Card Program Records

Records created and/or received relative to the operation of a municipal identification card program. Records may include, but are not limited to, copies of documents required by the program to prove identity and residency; fiscal records (accounts payable/receivable, documentation of costs for running the program, agreements); applications; digital photographs; records documenting partnerships with the program such as agreements and programmatic records; transmission records and audit trails.

Note: Vendors employed for any processes must follow the below retention periods of any documents they retain on behalf of the municipality.

LG1.4.20A Applications, Digital Signatures, and Digital Photographs

Retention: Retain two (2) years.

LG1.4.20B Supporting Documents Used to Prove Identity and Residency

Retention: If the municipality chooses to retain copies, retain (2) years.

LG1.4.20C Fiscal Records Including Vendor and/or Partnership Contract/Agreements [SUPERSEDED]

See Also: For associated retention, see LG2 (Municipal Finance Records).

LG1.4.20D Transmission Records/Audit Trails etc. [SUPERSEDED]

See Also: For associated retention, see GRS7 (Information Management Records).

LG1.4.20E All Other Records

Retention: Retain two (2) years.

LG1.4.21 Campaign Finance Reports Copies

Copies of campaign finance reports filed with the local agency.

Retention: Retain three (3) years.

Note: CCER reports are filed with the Board of Elections.
Records are transferred to the State Archives and kept
permanently once the Board's administrative use ceases.