
OLR Bill Analysis

sSB 246

AN ACT CONCERNING THE PROTECTION OF STATE AND MUNICIPAL ESSENTIAL RECORDS AND THE PRESERVATION OF ELECTRONIC RECORDS.

SUMMARY:

This bill makes several changes in the statutes affecting state and municipal record preservation. Among other things, it:

1. requires a state, municipal, or probate district official with custody of a permanent electronic record to maintain it in accordance with authentication and preservation standards for electronic documents issued by the public records administrator, and subjects violators to a fine of up to \$100;
2. requires agencies to designate and maintain, for each public record, an official record copy as the legally recognized copy for record retention, preservation, and authentication purposes;
3. requires executive branch agencies and municipalities to identify and protect essential records;
4. updates the list of items for which the state librarian must establish standards;
5. eliminates a requirement that the public records administrator create a list of papers meeting permanent paper standards; and
6. eliminates a requirement that the state librarian provide photoduplication, microfilming, and document repair and restoration services to executive branch agencies and municipalities.

The bill also makes technical and conforming changes.

EFFECTIVE DATE: July 1, 2014

IDENTIFYING AND PROTECTING ESSENTIAL RECORDS

The bill establishes requirements applicable to executive branch agencies and municipalities for identifying and protecting essential records. The bill defines “essential records” as records:

1. necessary to (a) respond to or reestablish normal operations after an emergency, (b) protect agency or municipal rights and interests, or (c) protect the rights and interests of individuals the agencies and municipalities serve; or
2. that would require massive resources to reconstruct.

Under the bill, the administrative head of each executive branch agency and municipality must (1) identify such entity’s essential records and (2) provide to the public records administrator, on a form she prescribes, a list of these records by January 1, 2015 and update it at least annually thereafter.

Administrative heads must safeguard essential records in accordance with the public records administrator’s standards. Each agency and municipality must incorporate the protection of such records into any continuity of operations or emergency operations plan it adopts.

ITEMS FOR WHICH STATE LIBRARIAN MUST ESTABLISH STANDARDS

By law, the state librarian must adopt regulations establishing standards for specified items used to create and store municipal records. The bill updates the list of items by (1) adding electronic file formats and (2) removing typewriter ribbons, carbon papers, loose-leaf binders, and file rooms. As under current law, the state librarian must establish standards for safes and vaults, among other things.

COMMITTEE ACTION

Government Administration and Elections Committee

Joint Favorable Substitute

Yea 12 Nay 0 (03/19/2014)