

Records Storage Standards



SLRM
STATE AND LOCAL
RECORDS
MANAGEMENT

LOCAL GOVERNMENT BULLETIN F
April 2013

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Local Government Code Title 6, Subtitle C

Section 203.048 – Care of Records of Permanent Value

The commission shall adopt rules establishing standards for the proper care and storage of local government records of permanent value. The commission may require that certain local government records of permanent value be created on permanent-durable paper, the standards for which shall be established by rule. The rules must be approved as required by Section 441.165, Government Code.

Source: Added by Acts 1989, 71st Leg., ch. 1248, Sec. 1, eff. Sept. 1, 1989.

Government Code Title 4, Subtitle D

Section 441.026 – Retention, Storage, and Destruction of Certain Court Documents

- (a) The commission shall adopt rules for the retention, storage, and destruction of a court document filed with, otherwise presented to, or produced by a court in this state before January 1, 1951.
- (b) A court in this state may not destroy a court document described by Subsection (a) except as provided by rules of the commission.

Source: Added by Acts 2011, 82nd Leg., R.S., Ch. 204, Sec. 1, eff. May 30, 2011.

Texas Administrative Code, Title 13 Chapter 7, Subchapter F

Section 7.161 - Definitions

The following words and terms, when used in this subchapter, shall have the following meanings, unless the context clearly indicates otherwise. Terms not defined in this subchapter shall have the meanings defined in the Local Government Code, Chapter 201.

- (1) Court record--Any instrument, document, paper, or other record filed with, otherwise presented to, or produced by a court in this state.
- (2) Local government record--Any document, paper, letter, book, map, photograph, sound or video recording, microfilm, magnetic tape, electronic medium, or other information recording medium, regardless of physical form or characteristic and regardless of whether public access to it is open or restricted under the laws of the state, created or received by a local government or any of its officers or employees pursuant to law, including an ordinance, or in the transaction of public business, except for materials excluded under the Local Government Code, §201.003(8).
- (3) Permanent record--Any local government record for which the retention period on a records retention schedule issued by the commission is given as permanent or which has been identified by the records management officer as possessing permanent historical value.

- (4) Records management officer--The person identified under the Local Government Code, §203.001 or designated under the Local Government Code, §203.025 as the records management officer.
- (5) Retention period--The minimum time that a local government record must be retained as established on a records retention schedule accepted for filing by the Texas State Library and Archives Commission pursuant to Local Government Code, §203.043.
- (6) Storage--The long-term holding of inactive records maintained for safekeeping.

Source: Adopted April 7, 2013, 38 TexReg 2098.

Section 7.162 - General

- (a) This subchapter seeks to preserve valuable historic records by establishing minimum and enhanced storage standards for pre-1951 court records and permanent records held by local governments.
- (b) The requirements of this subchapter apply only to records in storage and are not required for records being transported, temporarily housed or displayed, or in active use.
- (c) Unless otherwise noted, the requirements of this subchapter apply only to paper records. Storage requirements for local government records stored micrographically or electronically are adopted under §7.26 of this title (relating to Storage of Original Microfilm) and §7.76 of this title (relating to Maintenance of Electronic Records Storage Media) respectively.
- (d) The effective date of this subchapter shall be two years after the date of its adoption.

Source: Adopted April 7, 2013, 38 TexReg 2098.

Section 7.163 - Required Minimum Storage Conditions for Certain Non-Permanent Court Records

- (a) Pre-1951 court records with retention periods less than permanent shall be stored under conditions that meet the requirements of this section. Pre-1951 court records with permanent retention, e.g., case papers, shall be stored under conditions that meet the requirements of §7.164 of this title (relating to Required Minimum Storage Conditions for Permanent Records).
- (b) Records shall be stored in a manner that offers protection from fire, water, steam, structural collapse, unauthorized access, theft, and other similar hazards.

Source: Adopted April 7, 2013, 38 TexReg 2098.

Section 7.164 - Required Minimum Storage Conditions for Permanent Records

- (a) Permanent records shall be stored under conditions that meet the requirements of this section.
- (b) Records shall be stored in a manner that complies with the following:
 - (1) offers protection from fire, water, steam, structural collapse, unauthorized access, theft, and other similar hazards; and
 - (2) does not expose records to direct sunlight.

- (c) Records or storage boxes shall not be stored in contact with the floor.
- (d) Records stored in a building or storage area constructed after the effective date of this section shall be protected by an operational fire detection system or the facility must be in compliance with local fire codes.
- (e) Records shall not be stored in any area of a building or storage area constructed after the effective date of this section that is located in a 100 year flood plain area, as established by the U.S. Geological Survey at the time of the construction of the building, unless the floor of said area is at least five feet above the 100 year flood level.

Source: Adopted April 7, 2013, 38 TexReg 2098.

Section 7.165 - Optional Enhanced Storage Conditions for Permanent Records

- (a) As resources permit, local governments should strive to store records under conditions that meet as many of the recommendations of this section as practicable.
- (b) Records should be stored in a building or storage area that:
 - (1) has an operational fire suppression system;
 - (2) has adequate environmental controls:
 - (A) A maximum temperature of 70 degrees Fahrenheit and a constant relative humidity of 45% with a maximum variance of plus/minus 5% relative humidity in a 24-hour period should be maintained in the storage area.
 - (B) Daily temperature/humidity checks should be conducted.
 - (C) Positive atmospheric pressure should be maintained within the storage area.
 - (3) has a pest management program; and
 - (4) has appropriate shelving:
 - (A) Shelving should be constructed of metal or other non-porous material.
 - (B) The lowest shelf should be at least 4 to 6 inches from the floor.
 - (C) Shelving should be arranged such that records are at least 4 inches from the interior face of exterior walls.
- (c) Records should be covered or housed in acid-neutral boxes to protect them from deterioration.
- (d) Ultraviolet filtering shields should be affixed to any fluorescent lights or windows.
- (e) If a Heating, Ventilation, and Air Conditioning (HVAC) system is in use in a records storage area, it should not be turned off and settings should not be changed for nights and weekends.

Source: Adopted April 7, 2013, 38 TexReg 2098.