

## **Notice of Proposed Rule**

### **DEPARTMENT OF STATE**

#### **Division of Library and Information Services**

**RULE NO.:** 1B-24.003

**RULE TITLE:** Records Retention Scheduling and Disposition

**PURPOSE AND EFFECT:** Revision to General Records Schedule GS1-SL for State and Local Government Agencies; General Records Schedule GS4 for Public Hospitals, Health Care Facilities and Medical Providers; General Records Schedule GS8 for Fire Departments; and General Records Schedule GS14 for Public Utilities.

**SUMMARY:** Revise General Records Schedules GS1-SL, GS4, GS8, and GS 14.

#### **SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:**

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the Agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: Upon completion of a checklist, it was determined that this rule amendment will not have a direct or indirect adverse impact on small businesses.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

**RULEMAKING AUTHORITY:** 119.021(2)(a), 257.35(7), 257.36 FS.

**LAW IMPLEMENTED:** 119.021(2)(b)-(d), 257.35, 257.36 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAR.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Carlos A. Rey, carlos.rey@dos.myflorida.com, 500 S. Bronough St., Tallahassee, FL 32399.

THE FULL TEXT OF THE PROPOSED RULE IS:

1B-24.003 Records Retention Scheduling and Disposition.

(1) The Division issues General Records Schedules which establish minimum retention requirements for record series common to all agencies or specified types of agencies based on

the legal, fiscal, administrative, and historical value of those record series to the agencies and to the State of Florida. The General Records Schedules established by the Division, which can be obtained at <http://dos.myflorida.com/library-archives/records-management/general-records-schedules/>, are incorporated by reference:

(a) General Records Schedule GS1-SL for State and Local Government Agencies (~~XXXX~~ <http://www.flrules.org/Gateway/reference.asp?No=Ref-08488>, eff. ~~xx/xx~~ 08/17).

(b) General Records Schedule GS2 for Law Enforcement, Correctional Facilities, and District Medical Examiners (<http://www.flrules.org/Gateway/reference.asp?No=Ref-08489>, eff. 08/17).

(c) General Records Schedule GS3 for Election Records (<https://www.flrules.org/Gateway/reference.asp?No=Ref-05000>, eff. 2/19/15).

(d) General Records Schedule GS4 for Public Hospitals, Health Care Facilities and Medical Providers (~~XXXX~~ <https://www.flrules.org/Gateway/reference.asp?No=Ref-05001>, eff. ~~xx/xx~~ 2/19/15).

(e) General Records Schedule GS5 for Public Universities and Colleges (<https://www.flrules.org/Gateway/reference.asp?No=Ref-05002>, eff. 2/19/15).

(f) General Records Schedule GS7 for Public Schools Pre-K-12 and Adult and Career Education (<https://www.flrules.org/Gateway/reference.asp?No=Ref-10357>, eff. 2/21/19).

(g) General Records Schedule for Fire Departments (Schedule GS8) (~~XXXX~~ <https://www.flrules.org/Gateway/reference.asp?No=Ref-05004>, eff. ~~xx/xx~~ 2/19/15).

(h) General Records Schedule GS9 for State Attorneys (<https://www.flrules.org/Gateway/reference.asp?No=Ref-05005>, eff. 2/19/15).

(i) General Records Schedule GS11 for Clerks of Court (<https://www.flrules.org/Gateway/reference.asp?No=Ref-05006>, eff. 2/19/15).

(j) General Records Schedule GS12 for Property (<https://www.flrules.org/Gateway/reference.asp?No=Ref-05007>, eff. 2/19/15).

(k) General Records Schedule GS13 for Tax Collectors (<https://www.flrules.org/Gateway/reference.asp?No=Ref-10358>, eff. 2/21/19).

(l) General Records Schedule GS14 for Public Utilities (~~XXXX~~ <https://www.flrules.org/Gateway/reference.asp?No=Ref-10359>, eff. ~~xx/xx~~ 2/21/19).

(m) General Records Schedule GS15 for Public Libraries (<https://www.flrules.org/Gateway/reference.asp?No=Ref-05010>, eff. 2/19/15).

(2) through (12) No change.

*Rulemaking Authority 119.021(2)(a), 257.35(7), 257.36 FS. Law Implemented 119.021(2)(b)-(d), 257.35, 257.36 FS. History—New 2-20-01, Amended 1-18-09, 2-19-15, 7-27-17, 4-21-19, ~~xx-xx-xx~~.*

NAME OF PERSON ORIGINATING PROPOSED RULE: Carlos A. Rey

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Laurel M. Lee

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: 03/05/20

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: 10-28-2019