



INFORMATION FOR CLIENTS OF TEXAS ATTORNEYS

The information included in this column is for educational and informational purposes only. Please consult an attorney regarding specific legal questions.



Records Management for Texas Local Governments

WHAT IS A RECORD?

According to the Texas Local Government Code, a local government record is:

[A]ny 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 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. [LGC §201.003(8)]



WHAT IS RECORDS MANAGEMENT?

It is the management of records throughout the creation, use, maintenance, storage, preservation, and disposition of records. The goals of records management are to:

- reduce costs;
- improve efficiency;
- ensure legal compliance;
- improve access;
- capture government history; and
- protect the rights of Texans.

The components of an effective records management program include:

- filing and retrieval systems;
- records media selection and maintenance;
- inactive records storage;
- vital and permanent records protection;
- forms management; and
- disaster planning and recovery.

WHAT IS A RECORDS MANAGEMENT POLICY?

A records management policy (RMP) establishes the authority and assigns the responsibility for carrying out the records management program required by state law and creates the administrative framework through which the purposes of the program are to be achieved.

WHAT IS A RECORDS MANAGEMENT OFFICER?

A records management officer (RMO) in each local government assists in establishing and developing policies and procedures for a records management program for the local government, administers the records management program and provides assistance to custodians for the purposes of reducing the costs and improving the efficiency of recordkeeping.

WHAT IS A RECORDS CONTROL SCHEDULE?

A records control schedule (RCS) is a document prepared by or under the

authority of the records management officer listing the records maintained by your office, their retention periods, and other records disposition information that the records management program may require.

WHAT CONSTITUTES A LOCAL GOVERNMENT?

Local governments, as defined in the Local Government Records Act, include:

- county governments;
- elected county officials;
- cities, towns, and villages;
- utilities, water, and special districts;
- school districts and charter schools; and
- many other entities.

WHERE ARE THE LAWS ON RECORDS MANAGEMENT?

Local government records laws are found in the Local Government Records Act and in the Texas Administrative Code (TAC). For the laws and rules, visit www.tsl.state.tx.us/slr/recordspubs/local.html and click on “Local Government Bulletins.” (Local Government Code, Chapters 201–205; Government Code, Chapter 441, Subchapter J; 13 TAC Chapter 7).

WHAT IS REQUIRED FOR COMPLIANCE?

To be compliant, local governments must meet three basic requirements and be approved by the Texas State Library and Archives Commission (TSLAC):

1. Records Management Policy (RMP)
— Submit a records management policy approved by order, resolution, or ordinance to implement and maintain a records management program;
2. Records Management Officer (RMO)

— One person must be appointed to be responsible for the records management program; and

3. Records Control Schedule (RCS) — Submit a complete list of records and the retention periods for those records or a government may adopt TSLAC local government retention schedules. Copies of these schedules are available online and by mail.

WHAT TYPE OF TRAINING IS AVAILABLE FOR LOCAL GOVERNMENTS IN TEXAS?

TSLAC’s State and Local Records Management office offers these courses in records management:

- Control Schedule Basics;
- Disaster Planning;
- Electronic Document Imaging;
- Forms Management;
- Improving Filing Systems;
- Managing Electronic Records;
- Micrographics; and
- Records Storage Centers.

Classes are held in Austin, Liberty, and across Texas. Training schedules for other locations are available at www.tsl.state.tx.us/slr/training/classes/local and by mail or email.

WHERE CAN I FIND MORE SPECIFIC INFORMATION?

Information to help local governments manage records, including policy models, publications, forms, and newsletters, is available at www.tsl.state.tx.us/slr/local/index.html or by email at slrinfo@tsl.state.tx.us. ☆

The information in this article was obtained from the Texas State Library and Archives Commission State and Local Records Management brochure *Records Management for Texas Local Government*. To obtain the brochure, visit <https://www.tsl.state.tx.us/slr/recordspubs/local.html>.