



## BILL SYNOPSIS

### Committee: Equity and Structure

### Bill 20-0496

#### Records Management – Modernizing, Correcting, and Conforming

**Sponsor:** *The Council President*

**Introduced:** *February 24, 2020*

**Purpose:**

For the purpose of repealing and replacing City Code provisions regarding Baltimore City records management program to conform to State law requirements and to reflect modern practices in records management; establishing the position of City Records Management Officer to coordinate citywide records management; setting forth certain duties of the City Records Management Officer; requiring City agencies to provide certain cooperation to the City Records Management Officer; providing for the manner of the proper disposal of certain City records; defining certain terms; and generally relating to the management of the records of Baltimore City government.

**Effective:** This ordinance takes effect on the 30<sup>th</sup> day after the date of enacted.

#### Agency Reports

Department of Law	Favorable with Amendments
Department of Finance	No objection
Department of Legislative Reference	Favorable
Employee Retirement System	No comment
Environment Control Board	Favorable with Comments
Department of Housing and Community Development	No Position
Office of the Comptroller	No Objections

## **Analysis**

### **By repealing:**

Article I – Mayor, City Council, and Municipal Agencies; Subtitle 10. City Records, in its entirety, and Subtitle 11. City Archivist and Records Management Officer, in its entirety; Baltimore City Code (2000 Edition)

### **By Adding:**

Article I – Mayor, Council, and Agencies, Section(s) 10-1 to 10-12, to be under the new subtitle, “Subtitle 10. Records Management”; Baltimore City Code (2000 Edition)

### **Background**

In 1954, the original Records Management program was enacted into law. In the last sixty-six years the law has only been amended once, and that was in 1978. Between then and now, there have been changes to the State law that affect the maintenance of local record management processes, as well as advancements in the technology used to store and reproduce those records. If enacted, Bill 20-0496 would bring Baltimore City in line with the State law in an effort to modernize our Records Management system.

This legislation also recodifies the position of Records Management Officer without the designation as City Archivist. The new legislation would update and outline the duties of the individual who will assume this position after being appointed by the Director of Legislative Reference. In Subtitle 11: City Archivist and Records Management Officer of the current City Code there was a records committee, and that group would be responsible for reviewing the records retention schedule, and resolving any questions in reference to the record management policies. Now, this legislation will make it the responsibility of the City’s Record Management Officer to adopt rules and regulations with respect to the retention, disposal, storage, and digitization of agency records, and file them with the Department of Legislative Reference in accordance with Subtitle 10: Records Management of the proposed legislation.

In the past, each agency created their own records retention schedule. Now, it would be the responsibility of each agency head to designate an individual within their organization as the “agency liaison” to the City Records Management Officer, and to be in compliance with the established record retention and disposition schedule on file with the Department of Legislative Reference. Seen below are the guidelines that must be followed in this legislation for the disposal of records.

### **10-10. Disposal of Records.**

#### **(E) Disposal of Records Held at the Records Storage Center.**

- (1) AT LEAST 30 DAYS BEFORE ANY RECORDS HELD AT ANY CITY RECORDS STORAGE CENTER ADMINISTERED UNDER THIS SUBTITLE ARE DESTROYED, A LIST OF THE RECORDS PROPOSED FOR DESTRUCTION MUST BE SUBMITTED TO THE CITY SOLICITOR AND THE CITY AUDITOR FOR REVIEW.
- (2) AT ANY TIME DURING THE 30-DAY REVIEW PERIOD, THE CITY SOLICITOR OR THE CITY AUDITOR MAY SUBMIT TO THE CITY RECORDS MANAGEMENT OFFICER A WRITTEN OBJECTION TO THE DESTRUCTION OF A RECORD OR SET OF RECORDS ON THE LIST.

(3) ON RECEIPT OF A WRITTEN OBJECTION UNDER PARAGRAPH (2) OF THIS SUBSECTION, THE CITY RECORDS MANAGEMENT OFFICER MUST ORDER THE PROMPT DELIVERY OF THE RECORDS SPECIFIED IN THE OBJECTION TO THE CITY SOLICITOR OR THE CITY AUDITOR, AS THE CASE MAY BE.

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**Additional Information**

**Fiscal Note:** Not Available

**Information Source(s):** Baltimore City Code, Agency Reports, Maryland State Code

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Analysis Date: September 8, 2020

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