



THE STATE EDUCATION DEPARTMENT / THE UNIVERSITY OF THE STATE OF NEW YORK / ALBANY,
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To: County Board of Elections Officials
From: Geoffrey A. Huth, Director, Government Records Services
Subject: *Retention and Disposition Schedule for County Boards of Elections*
Date: March 7, 2013

Retention and Disposition Schedule for County Boards of Elections, last revised in 1996, includes an item, General Ballots, in the Election Records section. This item, #90088, in the current version of the *Schedule*, covers ballots, including blank and unused ones, and authorizes records destruction two years after the election or until completion of investigation and litigation, whichever occurs later.

On August 3, 2011, the New York State Election Law Sec. 3-222.3 was revised to allow destruction of sealed packages of unused ballots 4 months after the election provided that a certificate articulating the election district identifying data and numbers of such ballots to be destroyed is filed with the balance of ballots described in this section for the remainder of the 2-year retention period. Thus, two new items supersede item #90088 to allow earlier destruction of sealed packages of unused ballots and a new item covers disposition of the certificates of unused ballots.

The revisions are as follows:

90100 General Ballots

Description: File includes general ballots, also write-in, packages of protested, unpackaged blank and unused, void, sample, absentee, military, and emergency ballots, ballot envelopes, and paper rolls from voting machines. (Ballots are created pursuant to NYS Election Law Art. 7.)

Minimum Retention and Disposition: Retain for 2 years after the election or until completion of investigation and litigation, whichever occurs later.

Justification: Meets retention requirements as specified by Title 42, U.S.C. Section 1974 and by NYS Election Law Sec. 3-222.2-3. This item supersedes 90088 by allowing earlier destruction of sealed packages of unused ballots per revision to the NYS Election Law Sec. 3-222.3 on August 3, 2011.

90101 Sealed Packages of Unused Ballots

Description: Sealed packages of unused ballots from any election conducted by the board.

Minimum Retention and Disposition: Retain for 4 months after the election provided that a certificate articulating the election district identifying data and numbers of such ballots to be destroyed is filed with the balance of ballots described in this section for the remainder of the 2-year retention period.

Justification: Meets retention requirements provided for in NYS Election Law, Section 3-222.3.

90102 Certificates of Unused Ballots

Description: Document consists of information organized by election district about the numbers of unused ballots within sealed packages. This document is filed with the general ballots relating to the same election. The sealed packages of unused ballots may be destroyed earlier than general ballots provided that this certificate is retained.

Minimum Retention and Disposition: Retain for 2 years after the election or until completion of investigation and litigation, whichever occurs later.

Justification: Meets retention requirements as specified by NYS Election Law Sec. 3-222.3.

These revisions have been approved for use by County Boards of Elections that have adopted the *Schedule*. I invite you to contact my office or the State Archives' Regional Advisory Officer (RAO) in your region if you have any questions about the *Schedule* or comments on the revisions.

RETENTION AND DISPOSITION

SCHEDULE

ELECTION RECORDS

FOR USE BY

NEW YORK

COUNTY BOARDS OF ELECTIONS

1996, revised 2013

**The State Education Department
State Archives and Records Administration
9B74 Cultural Education Center
Albany, NY 12230**

**State Board of Elections
Swan Street Building, Core 1, Suite 201
6 Empire State Plaza
Albany, NY 12223-1650**

PREFACE TO 1996 EDITION

This publication revises and replaces the previous edition of the *Retention and Disposition Schedule for County Boards of Elections*, originally issued by the State Archives and Records Administration (SARA) and the State Board of Elections in 1989 and revised in 1995. Those previous editions of the schedule are no longer valid and should not be used to govern the disposition of records.

The 1995 edition of the schedule revised twenty-six authorizations from the original schedule to bring them into conformance with requirements of Title 42, U.S.C. Section 1973gg and Section 1974 or to meet new requirements of New York State Election Law, Section 3-220 and Section 3-222. That edition also added one new authorization, 90049, to approve the disposition of Testing of Voting Machines Records.

Subsequent to the publication of the 1995 edition, SARA and the State Board of Elections formed a Task Force to consider further revisions of the schedule. That Task Force, consisting of several County Boards of Elections Commissioners, selected County Records Management Officers, and staff from SARA and the State Board of Elections, met during the summer and fall of 1995. The group's recommendations formed the basis for the revised schedule.

This 1996 edition of the *Retention and Disposition Schedule for County Boards of Elections* revises fifteen authorizations to clarify their intent and coverage, improve or correct descriptions, or to reduce retention requirements to the minimum period necessary to meet legal and operational needs. These revised authorizations are:

90052, 90053, 90059, 90061, 90062, 90064, 90065, 90067, 90068, 90073, 90076, 90078, 90084, 90091, 90099.

The new schedule also eliminates two authorizations because the records they concern are no longer created or are covered by other schedule items. These eliminated authorizations are: 90066, Applications for Enrollment Correction or Special Enrollment; and 90075, Certificates of Vacancy.

Finally, the revised schedule adds three new authorizations for records which are now created under new requirements of New York State Election Law. These new authorizations are: 90046, Transfer of Registration and Enrollment Change of Address Notices; 90047, Registration Confirmations; and 90048, Registration Transmittals.

County Boards of Elections may use the authorizations in this schedule by following the instructions under "Adopting the Schedule" in the following Introduction (p. iii). Those Boards which have already adopted a previous version of this schedule need not take additional action to use the new and revised authorizations in this 1996 edition.

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INTRODUCTION

The disposition of records of Boards of Elections created under the Election Law¹ is regulated by 57.05.11 Arts & Cultural Affairs Law (formerly Section 186 State Finance Law)². This retention and disposition schedule was prepared by the State Archives and Records Administration (SARA) and the State Board of Elections to provide County Boards of Elections with records management guidelines and legal authorization to dispose of records. A Task Force, consisting of representatives of three County Boards, the State Board of Elections, the State Archives and Records Administration, and county Records Management Officers, assisted with preparation of a draft schedule. The schedule was reviewed by the State Board of Elections, the Department of Law, and the Office of the State Comptroller, and issued by the Director of SARA, acting on behalf of the Commissioner of Education.

Purpose

The purpose of the schedule is to

- provide County Boards of Elections with uniform guidelines for the retention and disposition of records
- ensure that County Boards retain records as long as needed for internal administrative, legal, and other uses
- ensure that County Boards retain records as long as required by State and federal agencies for oversight and other purposes
- promote the cost-effective management of records through the use of this schedule
- provide County Boards with authorization to dispose of obsolete records after minimum retention periods have been met
- ensure permanent retention of records of enduring value.

Arrangement and Content of Schedule

This schedule lists most records series or types produced by a County Board, describes them briefly, and states their **minimum** retention periods. Items on this schedule are organized in five categories: Administrative Records of the Board, Registration Records, Nomination and Designation Records, Election Records, and Campaign Finance Records.

Each schedule entry is presented in the following format.

90062 Transfer of Enrollment Applications

Description: Record consists of a notice requesting verification of previous registration in another county, for purpose of transferring enrollment card and registration to present county of residence. (Formerly created pursuant to previous NYS Election Law Sec. 5-208.)

Minimum Retention and Disposition: Retain for 2 years.

Justification: Meets retention requirements as specified by Title 42, U.S.C. Section 1974 and Section 1973gg.

Note: These records are no longer created.

For each records series, the schedule entry provides the following information.

- **A Records Disposition Authorization (RDA) Number.** This is a control number assigned to the records series by the State Archives and Records Administration to indicate that the retention and disposition have been authorized.
- **Title and Description:** A brief title and a description of the contents, types of materials, or function of the records series, and the common uses for the records. This section also cites any statutory authorities for creating or filing the records.
- **Minimum Retention and Disposition:** The **minimum** amount of time that the records must be retained and the final action that can be taken after the minimum retention period has passed. Most records covered by this schedule may be destroyed at the end of their retention period. Some records are designated as permanent and shall not be destroyed.
- **Justification:** A brief explanation of the reasons for the retention period and the final disposition, and a reference to any statutory authorities which require a minimum retention period.

- **Note:** Some entries may include a note providing additional clarifying information.

Records Not Covered

The following records are not covered by this schedule.

- Personnel and fiscal records. Retention periods for personnel and fiscal records of County Boards are listed on schedules issued by SARA and available from each County Records Management Officer.³
- Records being used for **investigations, legal actions, or proceedings**. Such records must be retained until the completion of an investigation or the final determination of the action or proceeding, or until an order for their preservation expires, even if their minimum retention period has passed.
- Any records created before 1911. These records have long-term research value and should be permanently preserved by County Boards.⁴

The titles and descriptions of records covered by this schedule may not reflect the exact titles or filing arrangements used by each County Board. If you are not certain whether the schedule applies to a specific group of records, or need assistance with records not covered by this schedule, please contact the State Board of Elections for advice and assistance.

Adopting the Schedule

County Boards of Elections will have continuing legal authorization to dispose of records listed on the schedule after they 1) formally adopt the schedule by resolution and 2) submit a copy of the resolution to the State Board of Elections. A form for a model resolution is found in an appendix to this introduction. Authorization to dispose of records listed on the schedule will remain in effect until the resolution is rescinded by a County Board, or the schedule is withdrawn by the State Board of Elections, Department of Law, Office of the State Comptroller, or SARA. Once the schedule is adopted by resolution, it will supersede all previous Records Disposition Authorizations.

Suggestions for Effective Use of this Schedule

A complete, accurate records retention and disposition schedule is an essential element, but not the only element, of good records management. The records schedule establishes guidelines to ensure that records will be retained long enough to meet legal, fiscal, administrative, and research needs. The schedule facilitates the orderly, legal disposition of records. Records schedules also assist office staff in organizing files and information flow, and in planning for records equipment, supplies, and storage facilities. This schedule and the following suggestions will help County Boards control the creation, distribution, storage, and disposition of election records. County Boards should use this schedule to assist in organizing files and information flow, and in planning for records equipment, supplies, and storage needs.

Appointment of a Records Management Coordinator

Each County Board should appoint a Records Management Coordinator who will be responsible for general records management and for administering the records disposition process. To dispose of records pursuant to this schedule, the Coordinator should inventory board of elections records (including records stored off-site), inform staff of scheduled retention periods, and provide advice on filing procedures to facilitate records disposition. The Coordinator should also be involved in obtaining suitable off-site storage space for records and in ensuring that microfilm meets archival standards for long-term storage, following the suggestions provided below.

Records Disposition

Records disposition should be carried out periodically (at least once a year or once every two years) and after audits are completed and new reports are filed. To facilitate orderly disposition, each Board should review filing arrangements, cut off files periodically, and develop procedures to segregate inactive and obsolete files. Generally, records should be destroyed when the minimum retention period has been met (unless the records are being used in a legal proceeding). If files have not been purged for several years, this schedule may identify obsolete records that can be destroyed immediately. The schedule can also be used to identify official copies of records which must be retained until the minimum retention period passes, and duplicate copies which can be destroyed when administrative use ceases.

Boards are not required to destroy records at the end of the legal retention period. However, obsolete records occupy expensive office and storage space. Implementation of the schedule will allow Boards to destroy inactive records when they become obsolete, in a timely and efficient manner.

Off-Site Records Storage

Records that are voluminous and not needed for current business may be stored more cost-effectively in a location away from the office. Off-site storage locations should be clean, dry, and secure. The Board should create and maintain lists of any records stored off-site, allowing easy retrieval. A Board of Elections may be able to store records in a records storage center operated by the county government.

Maintenance, Storage, and Preservation of Permanent Records

Some records are designated as "Permanent" and shall not be destroyed, because statute requires permanent retention or because the records possess information of enduring value on the policies and accomplishments of County Boards, election results, or registered voters. Permanent records may be transferred to a repository operated by a county records management program. SARA will assist County Boards in identifying appropriate repositories for deposit or transfer of permanent records. For advice and assistance, contact SARA's Local Government Records Services.⁵

Records Microfilming

The records retention periods listed on this schedule apply to the information in the records, regardless of format. Microfilming of records with a long retention period (for example, cancelled voter registration records) may be a cost-effective way of reducing bulk and preserving information. Election Law Section 3-220 permits the destruction of original registration records and other records mentioned in that section after microfilming. County Boards may destroy original records after microfilming if the Board's resolution adopting this schedule contains a clause stating that any microfilm produced by or for the Board will meet accepted archival standards.⁶ (See model resolution in the Appendix.)

Electronic Records

Many County Boards of Elections use computers and create and maintain some records in electronic formats. County Boards should apply this schedule to electronic records as well as paper records to dispose of obsolete records when their retention period has passed. County Boards should also take precautions to ensure that electronic records remain readable and accessible throughout their retention period. Data should be recorded on high quality magnetic media; tape drives and disk drives should be cleaned and inspected regularly; magnetic media should be stored in a clean, secure area with constant temperature and humidity; and a duplicate (back-up) copy of each tape, disk, or diskette should be produced and stored in an off-site location.

Records Destruction

Records may be eligible for destruction either because they have non-permanent retention periods or because they have been microfilmed according to archival standards. Election Law Section 3-220.7 authorizes the Boards of Elections to sell disposable records for waste paper and turn over the proceeds to the county treasury (or in New York City, to the city treasury).

Working with the County Records Management Officer

Each county in New York has designated a County Records Management Officer (RMO) who monitors and oversees records management activities in county offices. The County Board Records Management Coordinator will generally find it beneficial to work cooperatively with the RMO to effectively manage Board records. Although immediate responsibility for each County Board's records lies with the Board and its Records Management Coordinator, the County RMO can often provide assistance in developing guidelines for the storage, retrieval and destruction or permanent preservation of election records. In many cases, County Boards can utilize the existing records management procedures and systems which the RMOs have developed. This may include storing inactive and permanent records in county records facilities. The County RMO may also be able to assist County Boards by arranging for legal destruction of obsolete Board records, including confidential records.

Sources of Advice and Assistance

SARA's Local Government Records Services provides local officials with advice, training, and publications on microfilming techniques and standards, electronic records, files management, and other records management topics. Under the Local Government Records Law, Chapter 737, Laws of 1987, each county must designate a Records Management Officer (RMO). For information on available services, including the name of the County RMO, contact:

Local Government Records Services
New York State Archives and Records Administration
Cultural Education Center, Room 10A63
Empire State Plaza
Albany, NY 12230
(518) 474-6926.

County Boards of Elections having questions about the records listed on this schedule or about the retention periods should contact:

Administrative Officer
New York State Board of Elections
Swan Street Building, Core 1, Suite 201
6 Empire State Plaza
Albany, NY 12223-1650
(518) 474-6336.

RESOLUTION ADOPTING THE SCHEDULE FOR COUNTY BOARDS OF ELECTIONS RECORDS

BE IT RESOLVED, by the _____ County Board of Elections, that the Records Retention and Disposition Schedule for Boards of Election Records issued by the State Archives and Records Administration pursuant to Arts & Cultural Affairs Law Section 57.05.11, and containing minimum legal retention periods for County Board of Elections records, is hereby adopted for use in disposing of records listed therein.

BE IT FURTHER RESOLVED, that in compliance with Arts & Cultural Affairs Law Sect. 57.05.11, only those records that have met the minimum retention periods prescribed in the records retention and disposition schedule will be destroyed.

BE IT FURTHER RESOLVED, that only those records that do not have sufficient administrative, fiscal, legal, or historical value to merit retention beyond established retention periods will be destroyed.

BE IT FURTHER RESOLVED, that no original record will be destroyed after microfilming, unless the record

- (1) will be preserved in lieu of the original,
- (2) has been created on a durable material,
- (3) has been examined and found to be a true and clear photographic copy of the original from which a legible facsimile or a legible certified copy can be made, and
- (4) has been placed in conveniently accessible filing equipment with provisions made for adequately preserving, examining, and using it.

Approved:

Commissioner

Commissioner

Date: _____

SUMMARY SCHEDULE

Dispo. Auth. Number	Records Series Title	Minimum Retention Period ⁷
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ADMINISTRATIVE RECORDS OF THE BOARD

90050	Annual Reports	Permanent
90051	County Board Minutes	Permanent
90052	Subject and Correspondence File: Records documenting policy or decision making	4 years
	Records of no continuing administrative, legal or fiscal value	Until obsolete or superseded
90053	Certificates of Party Committee Officers	Until superseded
90054	Certified Copies of County Committee Rules and Amendments	3 years after superseded
90055	Inspectors File	3 years after date of training
90056	Inspectors' Oaths of Office	22 months after expiration
90057	Inspectors' Time Certificates	22 months
90058	Party Election Inspector/Poll Clerk Designation Lists	22 months after election
90059	Standards for Computerized Recordkeeping Systems	2 years after a computer system is removed or replaced

REGISTRATION RECORDS

90060	Local Registration Administrative File	2 years
90061	Registration Records	Permanent
90062	Transfer of Enrollment Applications	2 years
90046	Transfer of Registration and Enrollment Change of Address Notices	Permanent
90047	Registration Confirmations	2 years
90048	Registration Transmittals	2 years
90063	Registration Challenge Reports	2 years after receipt or final decision, whichever is later
90064	Lists of Corrections and Cancellations of Registrations	2 years
90065	Enrollment Forms	2 years after the cancellation or expiration of voter's registration
90067	Annual Lists of Registered Voters	Retain 1 copy permanently
90068	Annual Lists of Enrollments	Retain 1 copy permanently
90069	Supplemental Enrollment Lists	Until obsolete
90070	Change of Voter Status Reports	2 years after filing
90071	Rejected Voter Registration Applications	2 years after filing
90072	Mutilated or Void Registrations	2 years
90073	Mail Check Cards	2 calendar years after cancellation of registration

90074	Computer-Generated Lists of Registered Voters, Including Signatures	4 calendar years after election
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NOMINATION AND DESIGNATION RECORDS

90076	Nominating and Designating Petitions File	2 years after election or until determination of any action or proceeding, whichever occurs later
90077	Objections to Nominations and Designations File	2 years after election or until determination of any action or proceeding, whichever occurs later
90078	Certificates of Acceptance or Declination	2 years after election or until determination of any action or proceeding, whichever occurs later

ELECTION RECORDS

90079	Maps: Official maps showing election districts	Retain 1 copy permanently.
	All others	Retain until superseded.
90080	Lists of Polling Places	2 years after election
90081	Certificates of Statewide, County, City, Village, and Town Offices	2 years after election or until determination of any action or proceeding, whichever occurs later
90082	Statements of Party Positions to Be Filled	2 years after election or until determination of legal proceedings, whichever occurs later

90083	Certificates of Primary Election Candidates	2 years after election or until determination of any action or proceeding, whichever occurs later
90084	Certificates of General Election Candidates	2 years after election or until determination of any action or proceeding, whichever occurs later
90085	Certified Copies of Proposed Constitutional Amendments and Local Government Proposals	2 years after election or until determination of any action or proceeding, whichever occurs later
90086	Watchers Certificate File	22 months after election
90087	Applications for Absentee Ballot and Absentee List Reports	22 months after election or completion of investigation and litigation, whichever occurs later
90089	"Special Presidential and Special Federal" Voter Records	2 years after election or completion of investigation and litigation, whichever occurs later
90090	Certificates of Preparation of Voting Machines	2 years after election
90049	Testing of Voting Machines Records	2 years
90091	Returns of Canvass by Inspectors (also called Statements of Canvass)	2 years after election
90092	Unofficial Tally of Election Results	2 years or until official tally is made available, whichever occurs later
90093	Statements of Canvass by Canvassing Board (Official)	Permanent

**90094 Determinations by Canvassing Permanent
 Board**

CAMPAIGN FINANCE RECORDS

90095	Committee Designations of Treasurer and Depository	5 years from date of filing
90096	Political Committee Authorization Statements	5 years from date of filing
90097	Political Advertisements and Literature -- Copies	1 year from date of filing
90098	Candidate Non-Expenditure Statements	5 years from date of filing
90099	Financial Disclosure Statements	5 years from date of filing

COUNTY BOARDS OF ELECTIONS RETENTION AND DISPOSITION SCHEDULE

ADMINISTRATIVE RECORDS OF THE BOARD

90050 Annual Reports

Description: File documents the overall objectives, functions, responsibilities, and accomplishments of the County Board of Elections. Also includes documents explaining major program achievements, budgets and personnel needs for the office. (Created pursuant to NYS Election Law Sec. 3-212.4.)

Minimum Retention and Disposition: Retain 1 copy permanently.

Justification: Reports have long-term administrative and research value.

90051 County Board Minutes

Description: Official record of County Board meetings. Series includes agenda, attendance lists, synopsis of subjects discussed, resolutions passed by the Board, and roll call votes. (Created pursuant to NYS Election Law Sec. 3-212.3.)

Minimum Retention and Disposition: Retain 1 copy permanently.

Justification: Minutes have long-term administrative and research value.

90052 Subject and Correspondence File

Description: File includes all correspondence, memoranda, and other documents relating to County Board policies and procedures and county election issues, except as otherwise indicated in this schedule. Documents may also contain information on party committee rules, provisions for election inspectors, enrollment and registration procedures, designation and nominating policy, rules for use of voting machines, the handling of various ballots and other election-related issues.

Minimum Retention and Disposition: Retain records documenting policy or decision making

for 4 years. Retain records of no continuing administrative, legal or fiscal value until obsolete or superseded.

Justification: All administrative use ceases after the indicated retention periods.

Note: For advice on the disposition of administrative, fiscal and personnel records which are not directly related to election matters, see Records Retention and Disposition Schedule CO-2 for Use by County Governments.

90053 Certificates of Party Committee Officers

Description: Record is a duplicate sworn statement of county or other party committee officers. Consists of addresses, dates and signatures of the presiding officer, secretary and notary public. Original county committee certificates are sent to the State Board of Elections Office. (Created and filed pursuant to NYS Election Law Sec. 2-112.)

Minimum Retention and Disposition: Retain until superseded by new certificates.

Justification: Original county committee certificates are maintained by the State Board of Elections.

90054 Certified Copies of County Committee Rules and Amendments

Description: Documents consist of sworn statements by the chairperson regarding the establishment or amendment of County Committee rules and regulations. File also includes the by-laws of party organizations, procedures for the removal of committee members, the handling of vacancies, description of election of officers, and how county committees should be organized. (Created and filed pursuant to NYS Election Law Sec. 2-114.)

Minimum Retention and Disposition: Retain documents for 3 years after superseded by new committee rules.

Justification: NYS Election Law Sec. 2-114.1. requires certified copies to be filed with the State Board of Elections.

90055 Inspectors File

Description: Record consists of names of inspectors and those who attended the County Board of Elections training classes. Also includes the time and place when classes are in session.

Minimum Retention and Disposition: Retain for 3 years after date of training.

Justification: NYS Election Law Sec. 3-412, requires inspectors to complete training every 3 years.

90056 Inspectors' Oaths of Office

Description: Documents consist of sworn statements by inspectors that they will not instruct any voter to vote any particular ticket or for any particular candidate, also that inspectors will not reveal to any person the name of any candidate voted for by any voter. (Created and filed pursuant to NYS Election Law Sec. 3-414.1, 3-418.5.)

Minimum Retention and Disposition: Retain for 22 months after expiration.

Justification: Meets retention requirements for elections involving candidates for federal offices as specified by Title 42, U.S.C. Section 1974.

90057 Inspectors' Time Certificates

Description: Record consists of a daily time sheet of hours worked by Board of Election personnel. Also states time worked by inspectors, listing all names, addresses and types of voting functions. (Created pursuant to NYS Election Law Sec. 3-420.3.)

Minimum Retention and Disposition: Retain for 22 months.

Justification: Meets retention requirements for elections involving candidates for federal offices as specified by Title 42, U.S.C. Section 1974.

90058 Party Election Inspector/Poll Clerk Designation Lists

Description: File includes a detailed party list of election inspectors' recommendations, stating name, address, phone number and the particular election district the inspector will be working in that day. Such list is provided by the chairperson of the political party. (Created pursuant to NYS Election Law Sec. 3-404.)

Minimum Retention and Disposition: Retain for 22 months after the election.

Justification: Meets retention requirements for elections involving candidates for federal offices as specified by Title 42, U.S.C. Section 1974.

90059 Standards for Computerized Recordkeeping Systems

Description: Records created in order to operate computerized systems used for elections administration or voter registration and to assist in the transfer of the information in the computer system to a new or other system. May include code books, file layouts, system descriptions, system use logs or other information needed to understand and access information in the computerized system. Does not include the data in the system, which is covered by the appropriate retention periods found elsewhere in this schedule. N.B. These records are often maintained by management information systems or computer operations staff.

Minimum Retention and Disposition: Retain 2 years after a computer system is removed or replaced.

Justification: Administrative value ceases 2 years after computer system is removed or replaced.

REGISTRATION RECORDS

90060 Local Registration Administrative File

Description: File consists of reports of registrants who previously registered in other election districts within the county; reports list names, former and present addresses, former towns or cities of registration. Also included is a public notice describing which days and hours the polling places are open for registration and any other documents related to local registration.

Minimum Retention and Disposition: Retain for 2 years.

Justification: Meets retention requirements as specified by Title 42, U.S.C. Section 1974 and Section 1973gg.

90061 Registration Records

Description: Records include 1) the Central File Registration Record ("white card") or old Registration Books; 2) the Registration Poll Record ("buff card") or old Pollbooks; 3) any equivalent computer record. Regardless of format, the records contain serial number, voter name, address, length of residence, enrollment designation, citizenship, date of birth, sex, phone number, signature, name of employer, signatures of two registrars, reason for cancellation of registration, and other remarks. In addition, the registration poll records contain voting information and voter signatures for each election. (Created pursuant to NYS Election Law Sec. 5-500, 5-504, 5-506. Filed pursuant to NYS Election Law Sec. 5-600.)

Minimum Retention and Disposition: Permanent. Original Central File Registration and Registration Poll Record may be destroyed after conversion to computer records with approval of State Board of Elections consistent with provisions of NYS Election Law Sec. 5-504 and 5-506.

Justification: Meets retention requirements as specified by NYS Election Law Sec. 3-220.4.

Note: As authorized by NYS Election Law Sec. 3-220.4 and by the State Archives and Records Administration pursuant to Sec. 57.05 Arts & Cultural Affairs Law, registration records may be destroyed two years after cancellation of registration if the records have first been preserved in photostatic, microphotographic (i.e., microfilm, microfiche or computer-output microfilm) or photographic film copies.

90062 Transfer of Enrollment Applications

Description: Record consists of a notice requesting verification of previous registration in another county, for purpose of transferring enrollment card and registration to present county of residence. (Formerly created pursuant to previous NYS Election Law Sec. 5-208.)

Minimum Retention and Disposition: Retain for 2 years.

Justification: Meets retention requirements as specified by Title 42, U.S.C. Section 1974 and Section 1973gg.

Note: These records are no longer created.

90046 Transfer of Registration and Enrollment Change of Address Notices

Description: Change of address notices received by County Boards from the U. S. Postal Service or other sources indicating a change of address of a registered voter to another address in the same city or county. (Created pursuant to NYS Election Law Sec. 5-208.)

Minimum Retention and Disposition: Permanent.

Justification: Meets retention requirements as specified by NYS Election Law Sec. 5-208.7 and 3-220.4.

Note: These records have been created since January 1, 1996. For notices indicating a change of address of a registered voter to an address outside the county, see 90047, Registration Confirmations.

90047 Registration Confirmations

Description: Records consist of lists of names and addresses of persons to whom confirmation notices have been sent, along with records concerning what prompted the confirmation mailing (such as notices received from the U. S. Postal Service or from a federal, state or local government agency indicating a change of address of a registered voter to an address outside the county). Also, returned notices and a record of responses to confirmation notices, including dates and listings of cancellations and reasons for same. (Created pursuant to NYS Election Law Sec. 5-712.)

Minimum Retention and Disposition: Retain for 2 years.

Justification: Records concerning the implementation of procedures, policies and activities

related to ensuring the accuracy of voter registration lists must be retained for two years to meet retention requirements as specified by Title 42, U.S.C. Section 1974 and Section 1973gg.

Note: These records have been created since January 1, 1995. For notices indicating a change of address of a registered voter to an address in the same county or city, see 90046, Transfer of Registration and Enrollment Change of Address Notices.

90048 Registration Transmittals

Description: Records consist of copies of National Voter Registration Act transmittals received from agency-based voter registration sites. Data contained reflects registration activity at participating sites which is submitted to and tallied by County Boards and forwarded to the State Board of Elections. (Created pursuant to NYS Election Law Sec. 5-211.)

Minimum Retention and Disposition: Retain for 2 years.

Justification: Records concerning the implementation of procedures, policies and activities related to ensuring the accuracy of voter registration lists must be retained for two years to meet retention requirements as specified by Title 42, U.S.C. Section 1974 and Section 1973gg.

90063 Registration Challenge Reports

Description: Documents include a Challenger Statement and a sworn affidavit of the registration applicant describing places of residence, citizenship, and any criminal convictions or mental incompetency. A final determination section is completed by the County Board and signed by the inspector administering the affidavit. Challenge affidavits also include the application. (Created pursuant to NYS Election Law Sec. 5-218, 5-220.)

Minimum Retention and Disposition: Retain for 2 years after receipt or until final decision of the hearing board or court, whichever comes later.

Justification: Meets retention requirements as specified by Title 42, U.S.C. Section 1974 and Section 1973gg.

90064 Lists of Corrections and Cancellations of Registrations

Description: Record consists of a list of cancelled and corrected registrations. Includes the

registrant's name, address, town, sex, party affiliation, date of birth and date of registration. (Created pursuant to NYS Election Law Sec. 5-226.3.)

Minimum Retention and Disposition: Retain for 2 years.

Justification: Administrative use ceases after 2 years.

90065 Enrollment Forms

Description: File includes change and correction of enrollment forms for registered voters seeking to change party. Form gives voter name, address, serial number, signature and designated party.

Minimum Retention and Disposition: Retain for 2 years after the cancellation or expiration of voter's registration.

Justification: Administrative use ceases after 2 years.

90067 Annual Lists of Registered Voters

Description: A record of all registered voters in a county. Document consists of a complete list of voters, including names, addresses, and serial identification numbers. (Created pursuant to NYS Election Law Sec. 5-602.)

Minimum Retention and Disposition: Retain 1 copy permanently.

Justification: These records have enduring value for research purposes.

90068 Annual Lists of Enrollments

Description: A record of all enrolled voters in a county. Document consists of a complete list of voters, including names, addresses, serial identification numbers and party affiliations. (Created pursuant to NYS Election Law Sec. 5-604.)

Minimum Retention and Disposition: Retain 1 copy permanently.

Justification: These records have enduring value for research purposes.

90069 Supplemental Enrollment Lists

Description: Record lists all corrected or transferred enrollments not contained in the last published enrollment book. Each entry states voter name, address, party affiliation and serial identification number. Lists are generated on a monthly or quarterly basis each year.

Minimum Retention and Disposition: Retain until obsolete or a new enrollment list is published.

Justification: Administrative value ceases when a new list is created.

90070 Change of Voter Status Reports

Description: File includes Health Department reports of deceased persons who had been residents within the jurisdiction of the County Board. Also contains listings of legal name changes, street name changes, names of persons with felony convictions and persons declared incompetent. (Created pursuant to NYS Election Law Sec. 5-708.)

Minimum Retention and Disposition: Retain for 2 years after filing.

Justification: Administrative use ceases after 2 years. NYS Election Law Sec. 3-220.3 requires that reports of deaths be retained for 2 years.

90071 Rejected Voter Registration Applications

Description: Application is rejected when the applicant is not entitled to registration, enrollment, or transfer of registration. Record states the name, date of birth, sex, address, phone number, place of birth and employer. (See NYS Election Law Sec. 5-210.8.)

Minimum Retention and Disposition: Retain for 2 years after filing.

Justification: Meets retention requirements as specified by Title 42, U.S.C. Section 1974 and Section 1973gg.

90072 Mutilated or Void Registrations

Description: Document consists of the mutilated or void voter registration card. Record contains the name, address, enrollment designation, citizenship, date of birth, sex and signature of the voter.

Minimum Retention and Disposition: Retain for 2 years.

Justification: Meets retention requirements as specified by Title 42, U.S.C. Section 1974 and Section 1973gg and by NYS Election Law Sec. 3-220.3.

90073 Mail Check Cards

Description: Notices are sent to voters to provide pertinent polling place and other election-related information. Returned notices are used to initiate various list maintenance procedures. (Created pursuant to NYS Election Law Sec. 4-117.1.)

Minimum Retention and Disposition: Retain until end of 2 calendar years after cancellation of registration.

Justification: NYS Election Law Sec. 3-220.3 permits destruction of mail check cards in January of each year for persons whose registrations were cancelled more than 2 years previously.

90074 Computer-Generated Lists of Registered Voters, Including Signatures

Description: A computer-generated paper list of registered voters stating voter names, addresses, dates of birth, identifying physical characteristics, party enrollments, years of registration, and including facsimile of signatures. Used in place of Registration Poll Record. (Created pursuant to NYS Election Law Sec. 5-506.3.c.)

Minimum Retention and Disposition: Retain until end of 4 calendar years after election.

Justification: NYS Election Law Sec. 3-220.6 permits destruction of lists after end of fourth calendar year after election.

NOMINATION AND DESIGNATION RECORDS

90076 Nominating and Designating Petitions File

Description: Documents contain signatures of enrolled voters of a party designating by name and residence certain individuals as candidates for nomination of such party for public office or for election to a party position. File also includes logs recording the filing of nominating and designating petitions and certificates. File may also contain petitions of independent nominations for an office at the time of a general election. Original Nominating Certificates for offices extending into another county are also maintained by the State Board of Elections. (Created and filed pursuant to NYS Election Law Art. 6.)

Minimum Retention and Disposition: Retain for 2 years after the election or until determination of any action or proceeding, whichever occurs later.

Justification: Retention period required by NYS Election Law Sec. 3-220.6.

90077 Objections to Nominations and Designations File

Description: Records include all written objections to any certificate of designation or nominating petition. Any registered voter may file an objection contesting the merits of the petition or nomination by showing that signatures were not witnessed, forgery had taken place or individuals were not registered properly. Some objections are settled in court. (Created and filed pursuant to NYS Election Law Sec. 6-154.2.)

Minimum Retention and Disposition: Retain for 2 years after the election or until determination of any action or proceeding, whichever occurs later.

Justification: Retention period required by NYS Election Law Sec. 3-220.6.

90078 Certificates of Acceptance or Declination

Description: Documents include sworn statements by candidates accepting or declining designations as candidates for nomination by a party. Also includes follow-up statements by the County Board alerting others of a resulting vacancy in situations where a candidate declines a designation and certificates filed by party committees filling those vacancies. (Created pursuant to NYS Election Law Sec. 6-146, 6-148.)

Minimum Retention and Disposition: Retain for 2 years after the election or until determination of any action or proceeding, whichever occurs later.

Justification: Retention period required by NYS Election Law Sec. 3-220.6.

ELECTION RECORDS

90079 Maps

Description: Maps include official maps of election districts (town, city, county) and legislative districts (county, state and federal), also any informational, unofficial maps of counties, cities, etc. (Filed pursuant to NYS Election Law Sec. 4-102.)

Minimum Retention and Disposition: Retain 1 copy of each official map of political jurisdictions showing election districts permanently. Retain all other maps until superseded.

Justification: Maps of election districts have enduring value for research purposes.

90080 Lists of Polling Places

Description: Document consists of a list of polling places for each town or ward and election district. Also included are addresses and information relating to accessibility of the poll place by the handicapped. (Submitted pursuant to NYS Election Law Sec. 4-104.1.)

Minimum Retention and Disposition: Retain for 2 years after the election.

Justification: Administrative use ceases after 2 years.

90081 Certificates of Statewide, County, City, Village, and Town Offices

Description: Records consist of Certificates of Offices to be Elected, sent by the State Board listing the offices and candidates to be voted for on election or primary day. Also, Certificates of Offices to Be Elected, filed with County Board, listing county and local offices and candidates, with affiliated party. (Filed pursuant to NYS Election Law Sec. 4-106.)

Minimum Retention and Disposition: Retain 2 years after the election or until determination of

any action or proceeding, whichever occurs later.

Justification: NYS Election Law Sec. 3-220.6 requires 2 year retention.

90082 Statements of Party Positions to be Filled

Description: File includes statements and certificates of party call regarding the number of party positions to be filled at the primary election and the number of individuals to be elected to each position. (Filed pursuant to NYS Election Law Sec. 2-120.)

Minimum Retention and Disposition: Retain documents for 2 years after the election or until determination of legal proceedings, whichever occurs later.

Justification: NYS Election Law Sec. 3-220.6 requires 2 year retention.

90083 Certificates of Primary Election Candidates

Description: Certificates state the name and residence of each candidate to be voted for and the title of the office sought. (Created pursuant to NYS Election Law Sec. 4-110.)

Minimum Retention and Disposition: Retain 2 years after the election or until determination of any action or proceeding, whichever occurs later.

Justification: NYS Election Law Sec. 3-220.6 requires 2 year retention.

90084 Certificates of General Election Candidates

Description: File includes Certificates sent by the State Board stating the name and residence of each candidate nominated, also the title of office sought and party affiliation. (Filed pursuant to NYS Election Law Sec. 4-112.)

Minimum Retention and Disposition: Retain 2 years after the election or until determination of any action or proceeding, whichever occurs later.

Justification: NYS Election Law Sec. 3-220.6 requires 2 year retention.

90085 Certified Copies of Proposed Constitutional Amendments and Local Government Proposals

Description: Records consist of copies of proposed amendments to the Constitution and other questions sent by the State Board to be voted on by the people for their approval. File also consists of copies of proposals, referendums or propositions submitted to the people of a county, city, town, village or special district for their vote. (Filed pursuant to NYS Election Law Sec. 4-108.)

Minimum Retention and Disposition: Retain one copy for 2 years after the election or until determination of any action or proceeding, whichever occurs later.

Justification: NYS Election Law Sec. 3-220.6 requires 2 year retention.

90086 Watchers Certificate File

Description: Documents include statements that the watcher is a qualified voter representing a candidate or political party in a designated ward or election district. May also include a list of watchers and inspectors attending local registration. (Refers to Watcher Certificates returned to the County Board of Elections.) (Created pursuant to NYS Election Law Sec. 8-500.3.)

Minimum Retention and Disposition: Retain for 22 months after election.

Justification: Meets retention requirements for elections involving candidates for federal offices as specified by Title 42, U.S.C. Section 1974.

90087 Applications for Absentee Ballot and Absentee List Reports

Description: Document is used by any registered voter who is absent from county of residence to apply for absentee voter status. Reasons for absence are occupation, business activities, school studies, temporary physical disability or vacation. Applications may be accompanied by a list of names and addresses of registered voters, serial numbers and election districts. (Created and filed pursuant to NYS Election Law Sec. 8-400.)

Minimum Retention and Disposition: Retain for 22 months after the election or until completion of any investigation and litigation, whichever occurs later.

Justification: Meets retention requirements for elections involving candidates for federal offices

as specified by Title 42, U.S.C. Section 1974.

90089 "Special Presidential and Special Federal" Voter Records

Description: File includes ballots, application forms and lists of federal voters voting for Presidential and Vice-Presidential Electors, U. S. Senators, Representatives in Congress, and delegates to the national party convention.

Minimum Retention and Disposition: Retain for 2 years after the election or until completion of investigation and litigation, whichever occurs later.

Justification: Meets retention requirements for elections involving candidates for federal offices as specified by Title 42, U.S.C. Section 1974; State Board of Elections Law Letter, June 1987.

90090 Certificates of Preparation of Voting Machines

Description: Document certifies the preparation of voting machines. Certificates are submitted by the town custodians. (Created pursuant to NYS Election Law Sec. 7-207.2.b.)

Minimum Retention and Disposition: Retain for 2 years after the election.

Justification: Meets retention requirements as specified by Title 42, U.S.C. Section 1974 and by NYS Election Law Sec. 3-222.5.

90049 Testing of Voting Machines Records

Description: Documents verifying the testing of voting machines to ensure their proper functioning. (Created pursuant to NYS Election Law Sec. 7-206.)

Minimum Retention and Disposition: Retain for 2 years.

Justification: Meets retention requirements as specified by Title 42, U.S.C. Section 1974 and by NYS Election Law Sec. 3-222.4.

90091 Returns of Canvass by Inspectors (also called Statements of Canvass)

Description: Document records seal numbers and counters on each voting machine prior to polls being opened and a final count of ballots cast after the closing of polls. Record also includes signatures of all inspectors and the results of vote for each office and ballot proposal. (Created pursuant to NYS Election Law Sec. 9-120.)

Minimum Retention and Disposition: Retain for 2 years after election.

Justification: Meets retention requirements as specified by Title 42, U.S.C. Section 1974 and by NYS Election Law Sec. 3-220.6.

90092 Unofficial Tally of Election Results

Description: Documents may include all ballot tally sheets and any machine-readable or computerized records of the total number of votes cast.

Minimum Retention and Disposition: Retain records for 2 years or until official tally is made available, whichever occurs later.

Justification: Meets retention requirements as specified by Title 42, U.S.C. Section 1974 and by NYS Election Law Sec. 3-220.6.

90093 Statements of Canvass by Canvassing Board (Official)

Description: The Statement of Canvass includes the final election results as reported by every town, city, village, and fire district to the County Board of Elections. Report is often put in book

format and maintained as public information. Canvass may also contain "Declarations of Winners." (Created and filed pursuant to NYS Election Law Sec. 9-210.)

Minimum Retention and Disposition: Retain permanently.

Justification: Records have long-term legal and research value.

90094 Determinations by Canvassing Board

Description: Statement by the county Board of Canvassers determining the total number of votes cast and the number each candidate received. (Created pursuant to NYS Election Law Sec. 9-212.)

Minimum Retention and Disposition: Retain permanently.

Justification: Records have long-term legal and research value.

CAMPAIGN FINANCE RECORDS

90095 Committee Designations of Treasurer and Depository

Description: Records contain the name of the political committee, name and address of the treasurer, name of bank or depository, list of candidates to be supported or opposed, and names of other persons authorized to sign checks. (Filed pursuant to NYS Election Law Sec. 14-118.1.)

Minimum Retention and Disposition: Retain for 5 years from the date of filing.

Justification: Administrative use ceases after 5 years.

90096 Political Committee Authorization Statements

Description: Document contains a sworn statement by the committee treasurer that a candidate has authorized the political committee to support his or her election, or that the candidate has not authorized the support of a committee. (Filed pursuant to NYS Election Law Sec. 14-112.)

Minimum Retention and Disposition: Retain for 5 years from the date of filing.

Justification: Administrative use ceases after 5 years.

90097 Political Advertisements and Literature -- Copies

Description: File includes copies of political advertisements, pamphlets, circulars, flyers, brochures, schedules of radio and TV time and any correspondence relating to advertising for a primary, general or special election. (Filed pursuant to NYS Election Law Sec. 14-106.)

Minimum Retention and Disposition: Retain for 1 year from the date of filing.

Justification: NYS Election Law Sec. 14-106 requires a 1 year retention period.

90098 Candidate Non-Expenditure Statements

Description: Documents contain a sworn statement by the candidate that he or she does not intend to use funds in connection with such election except through an authorized political committee. (Filed pursuant to NYS Election Law Sec. 14-104.)

Minimum Retention and Disposition: Retain for 5 years from the date of filing.

Justification: NYS Election Law 14-108.3 requires a 5 year retention period.

90099 Financial Disclosure Statements

Description: File contains a detailed report of monetary contributions, expenditures, loans, unpaid bills, campaign costs, non-cash contributions, refunds of campaign expenditures, transfers, non-campaign housekeeping expenses and a summary of receipts. Reports may be filed by the candidate, political committee or political party. If both receipts and expenditures total less than \$1,000, a waiver of detailed report is filed. (Created pursuant to NYS Election Law Sec. 14-102, -104; filed pursuant to Sec. 14-108, -110. The waivers are filed pursuant to Sec. 14-124.4.)

Minimum Retention and Disposition: Retain for 5 years from the date of filing.

Justification: NYS Election Law Article 14, Sec. 14-108.3 requires that statements be retained for 5 years for administrative use.

Note: Campaign financing is a major public policy issue, with momentous implications for representative government. Therefore, the State Archives preserves State-level campaign finance records and the New York City Board of Elections preserves City campaign finance records. Preservation of these archival records will maintain vital evidence for future research about campaign financing. Counties, particularly in populous areas, are urged to preserve all or some campaign finance records beyond the five year minimum. The County Records Management Officer and SARA can provide advice.

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ENDNOTES

¹ Boards of Elections include all county boards of elections and the New York City Board of Elections, hereafter referred to as County Boards of Elections.

² 57.05.11 Arts and Cultural Affairs Law requires authorization from the Attorney General, State Comptroller and Commissioner of Education before destroying any public records.

³ For advice on the disposition of such records, County Boards should refer to Records Retention and Disposition Schedule CO-2: for Use by County Governments.

⁴ This includes all election records filed on the county level and pre-dating 1911. Pre-1911 election records were filed with county clerks before boards of elections existed. Laws of 1911, Chap. 649 required that such records be transferred to the newly-established boards of elections and preserved by them.

⁵ The New York City Board should contact the New York City Department of Records and Information Services (DORIS) for advice on management, storage, and preservation of records

⁶ Original records may have value to a County Archives. Before destroying original records that have been microfilmed, contact your County Records Management Officer.

⁷ Note: Records being used in investigations, challenges, or litigation must be retained until completion of an investigation or the final determination of an action or proceeding or until an order for their preservation expires.