

**DEPARTMENT OF THE SECRETARY OF STATE  
LOBBYING COMPLIANCE DIVISION**

PROGRAM RECORDS RETENTION AND DISPOSITION SCHEDULE

The Program Records Retention and Disposition Schedule and retention periods governing the records series listed herein are hereby approved. In accordance with the provisions of Chapters 121 and 132 of the General Statutes of North Carolina, it is agreed that the records of the

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do not and will not have further official use or value for administrative, research, or reference purposes after the respective retention periods specified herein. The Department of Natural and Cultural Resources consents to the destruction or other disposition of these records in accordance with the retention and disposition instructions specified in this schedule. The agency agrees to comply with 07 NCAC 04M. 0510 when deciding on a method of destruction. Electronic records will be destroyed so that the data and metadata are overwritten, deleted, or unlinked in such a way that the records may not be practicably reconstructed. Confidential records will be destroyed in such a manner that the records cannot be practicably read or reconstructed. However, records subject to audit or those legally required for ongoing official proceedings must be retained until released from such audits or official proceedings, notwithstanding the instructions of this schedule.

The Department of the Secretary of State and the Department of Natural and Cultural Resources agree that certain records series possess only brief administrative, fiscal, legal, research, and reference value. These records series have been designated by retention periods which allow them to be destroyed when "*reference value ends.*" The Department of the Secretary of State hereby agrees that it will establish and enforce internal policies setting minimum retention periods for records with this disposition instruction. Without the establishment of internal policies, the agency is not authorized by the Department of Natural and Cultural Resources to destroy these records. For those record series scheduled to be microfilmed, the Department of the Secretary of State will be responsible for cost of microfilm production.

The Department of the Secretary of State and the Department of Natural and Cultural Resources concur that the long-term and/or permanent preservation of electronic records require additional commitment and active management by the agency. The Department of the Secretary of State agrees to comply with all policies, standards, and best practices published by the Department of Natural and Cultural Resources regarding the creation and management of electronic records and to make electronic records accessible for the period of time prescribed in this schedule. Where the method of recording information changes (for example, to an electronic system), the retention periods governing the records listed herein still apply, provided the records document the same agency function.

E-mail messages sent or received by Executive Branch agencies shall be retained for 5 years pursuant to Executive Order No. 12 (issued May 21, 2013 by Governor Pat McCrory). Any e-mail messages requiring retention longer than 5 years, including those with permanent historical value, shall be designated with specific retention periods in this program records schedule. Public records including electronic records not listed in this schedule or in the *General Schedule for State Agency Records* are not authorized to be destroyed.

The Department of the Secretary of State agrees to destroy, transfer or dispose of records in the manner and the times specified herein. This schedule is to remain in effect until superseded.

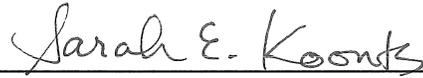
**APPROVAL RECOMMENDED**



Ann Wall  
Chief Records Officer

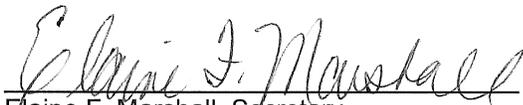


Joel Broun  
Lobbying Compliance Division Director

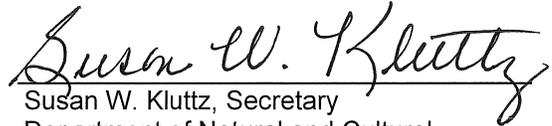


Sarah E. Koonts, Director  
Division of Archives and Records

**APPROVED**



Elaine F. Marshall, Secretary  
Department of the Secretary of State



Susan W. Kluttz, Secretary  
Department of Natural and Cultural  
Resources

## **DEPARTMENT OF THE SECRETARY OF STATE LOBBYING COMPLIANCE DIVISION**

### **ITEM 50328. ADVISORY COUNCIL DOCUMENTS FILE**

Records concerning the activities and actions of the Advisory Council. File includes minutes, charter, and reports.

DISPOSITION INSTRUCTIONS: Retain in office permanently.

### **ITEM 50331. COMPILATION REPORTS FILE**

Electronic records that compile lobbyist, principal, state and local government liaison, and solicitor spending data. File includes compilation reports for expenditures.

DISPOSITION INSTRUCTIONS: Transfer record copy of electronic records to the State Records Center every 2 years for immediate transfer to the custody of the Archives. Retain access copy in office permanently.

### **ITEM 50325. CORRESPONDENCE FILE**

Records in paper and electronic formats concerning correspondence written or received by the division. File includes correspondence from individuals, organizations, lobbyists, principals, state and local government liaisons, and solicitors, including confidential Advisory Lobbying Opinions received from the State Ethics Commission. (Comply with G.S. § 120C-102(d1) regarding the confidentiality of formal advisory opinions issued by the State Ethics Commission.)

DISPOSITION INSTRUCTIONS: If correspondence leads to or is related to an investigation, transfer record to Investigations File (Item 50330). Scan all other paper records in office. Electronic records are entered into the Secretary of State Knowledge Base (SOSKB). Destroy in office after 5 years paper copies of scanned records, with the exception of confidential Advisory Lobbying Opinion received from the State Ethics Commission, which will be retained in office permanently as paper records. Retain in office electronic records permanently.

### **ITEM 50618. ECONOMIC DEVELOPMENT FILE**

Records in paper and electronic formats concerning lobbying related solely to economic development initiatives or industrial/business recruitment activities. File includes lobbyist and principal registration forms, monthly and quarterly expense reports, and correspondence to and from lobbyist and/or principal. (Comply with G.S. § 132-6(d) regarding the confidentiality of industrial projects.)

DISPOSITION INSTRUCTIONS: When state agency, local governmental unit, or business discloses economic development initiatives or industrial/business recruitment activities, transfer records to Lobbyist Principal File (Item 2905). Destroy remaining records in office after 5 years.

### **ITEM 50330. INVESTIGATIONS FILE**

Records that lead to or are related to investigations of lobbyists, principals, state and local government liaisons, solicitors, and other persons required to report. File includes materials related to investigations to determine if G.S. § 120C Articles 2, 4, or 8 have been violated. File also includes records received from the State Ethics Commission and other agencies. (Comply with applicable provisions of G.S. § 120C-600(c) and G.S. § 120C-601(c) regarding confidentiality.)

DISPOSITION INSTRUCTIONS: Retain in office open and closure documents permanently. Destroy in office remaining records after 10 years.

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**ITEM 2905. LOBBYIST PRINCIPAL FILE**

Records in paper and electronic formats concerning lobbyist activity. File includes lobbyist and principal registration forms, monthly and quarterly expense reports, and correspondence to and from lobbyist and/or principal.

DISPOSITION INSTRUCTIONS: Scan in office paper records. Electronic records are entered into the Secretary of State Knowledge Base (SOSKB). Destroy in office after 5 years paper copies of scanned records. Retain in office electronic records permanently.

**ITEM 50619. OTHER REPORTS FILE**

Records in paper and electronic formats concerning those reports filed by persons or entities that are required to report pursuant to G.S. § 120C, Article 8 but not register as lobbyist, lobbyist principal, or solicitor. File includes quarterly expense reports and correspondence to and from other persons.

DISPOSITION INSTRUCTIONS: If file leads to or is related to an investigation, transfer record to Investigations File (Item 50330). Scan in office paper records. Electronic records are entered into the Secretary of State Knowledge Base (SOSKB). Destroy in office after 5 years paper copies of scanned records. Retain in office electronic records permanently.

**ITEM 41954. REGISTRATION INDEX FILE**

Records concerning the registration and index of lobbyists, lobbyist principals, solicitors, and state and local government liaisons. File includes names, mailing and physical addresses, phone numbers, e-mail addresses, terms of registration, status of registrant, lobbyist principals', dates of reports, other filings, and other related records.

DISPOSITION INSTRUCTIONS: Scan in office paper records. Electronic records are entered into the Secretary of State Knowledge Base (SOSKB). Destroy in office after 30 days paper copies of scanned records. Transfer record copy of electronic records to the State Records Center annually for immediate transfer to the custody of the Archives. Retain access copy in office permanently.

**ITEM 50620. SOLICITOR FILE**

Records in paper and electronic formats concerning solicitor activity. File includes solicitor registration forms, quarterly expense reports, and correspondence to and from solicitor.

DISPOSITION INSTRUCTIONS: If file leads to or is related to an investigation, transfer record to Investigations File (Item 50330). Scan in office paper records. Electronic records are entered into the Secretary of State Knowledge Base (SOSKB). Destroy in office after 5 years paper copies of scanned records. Retain in office electronic records permanently.

**ITEM 50621. STATE AND LOCAL GOVERNMENT LIAISON FILE**

Records in paper and electronic formats concerning liaison activity. File includes liaison registration forms, monthly and quarterly expense reports, and correspondence between liaisons and their employing government entities.

DISPOSITION INSTRUCTIONS: If file leads to or is related to an investigation, transfer record to Investigations File (Item 50330). Scan in office paper records. Electronic records are entered into the Secretary of State Knowledge Base (SOSKB). Destroy in office after 5 years paper copies of scanned records. Retain in office electronic records permanently.

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**ITEM 50329. SYSTEMATIC REVIEW FILE**

Records concerning the review reports filed by lobbyists, principals, solicitors, local and state government liaisons, and other persons who are required to file expenditure reports. File includes records to review whether expenditure report is complete and that there is a timely disclosure of reportable expenditures. (Comply with applicable provisions of G.S. § 120C-600(c) regarding confidentiality.)

DISPOSITION INSTRUCTIONS: If systematic review leads to or relates to an investigation, transfer record to Investigations File (Item 50330). Retain in office open and closure documents permanently. Destroy in office remaining records after 10 years.

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All items following are either  
Discontinued or Transferred.**

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**ITEM 15686. ACTIVE BUSINESS OPPORTUNITY SALES ACT FILE**

Uniform Franchise Offering Circulars (UFOC) and North Carolina Disclosure Statements. File includes consent to service of process forms, copies of current financial statements, business opportunity bond forms with powers of attorney, and other related records.

DISPOSITION INSTRUCTIONS: Function and records transferred to Corporations Division.

**ITEM 15684. ACTIVE LOAN BROKERS FILE**

Records concerning loan brokers operating within the State of North Carolina. File includes disclosure statements, consent to service of process forms, and copies of loan broker bonds with powers of attorney.

DISPOSITION INSTRUCTIONS: Function and records transferred to Corporations Division.

**ITEM 2898. HOUSE CALENDARS FILE**

Reference copies of calendars listing each bill number, title of the bill, date of first, second, and third reading, aye and nay votes, date laid on table, orders, engrossed date, date sent to the Senate, and other related data. (Original calendars located in General Assembly, House of Representatives, Item 1493: House Calendar Books File.)

DISPOSITION INSTRUCTIONS: Item discontinued. All records destroyed.

**ITEM 3673. HOUSE JOURNALS FILE**

Journals listing daily records of minutes of the N.C. House of Representatives. Journals also list the names of members attending and business transacted at the sessions.

DISPOSITION INSTRUCTIONS: Function and records transferred to Publications Division.

**ITEM 3794. INACTIVE BUSINESS OPPORTUNITY SALES ACT FILE**

Records concerning Uniform Franchise Offering Circulars (UFOC) and North Carolina Disclosure Statements for businesses which have been designated inactive. File includes consent to service of process forms, copies of current financial statements, business opportunity bond forms with powers of attorney, and other related records.

DISPOSITION INSTRUCTIONS: Function and records transferred to Corporations Division.

**ITEM 3793. INACTIVE LOAN BROKERS FILE**

Records concerning inactive loan brokers operating in the State of North Carolina. File includes disclosure statements, consent to service of process forms, and copies of loan broker bonds with powers of attorney.

DISPOSITION INSTRUCTIONS: Function and records transferred to Corporations Division.

**ITEM 15608. INDEX TO LOBBYISTS FILE**

Ledger book which includes indexes of lobbyists and their employers.

DISPOSITION INSTRUCTIONS: Item discontinued. Function and records transferred to Registration Index File (Item 41954).

**ITEM 15655. LOBBYISTS BOOKS FILE**

Records listing lobbyists who have registered with the Department of the Secretary of State. Book no longer utilized. (Information entered into Registered Lobbyists and Index Database (Electronic) File (Item 41954).)

DISPOSITION INSTRUCTIONS: Function and records transferred to Registration Index File (Item 41954). Transfer records currently stored in the State Records Center to the custody of the Archives.

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**ITEM 2899. PASSED HOUSE BILLS, SENATE BILLS, AND RESOLUTIONS FILE**

Records concerning bills acted upon by the General Assembly. File includes the original bill. (Color jackets showing dates of reading.)

DISPOSITION INSTRUCTIONS: Function and records transferred to Publications Division.

**ITEM 15607. RATIFIED ACTS AND RESOLUTIONS FILE**

Official copies of ratified acts and resolutions from each current legislative session. Laws of North Carolina as ratified by the General Assembly. (Signature of governor was required after February 1997.)

DISPOSITION INSTRUCTIONS: Function and records transferred to Publications Division.

**ITEM 3675. SENATE CALENDARS FILE**

Reference copies of calendars listing each bill number, title of the bill, date of first, second, and third reading, aye and nay votes, date laid on table, orders, engrossed date, and other related data. (Original calendars located in General Assembly, Senate, Item 1508: Senate Calendar Books File.)

DISPOSITION INSTRUCTIONS: Item discontinued. All records destroyed.

**ITEM 3674. SENATE JOURNALS FILE**

Journals listing daily records of minutes of the N.C. Senate. Journals also list the names of members attending the meetings and business transacted at the sessions.

DISPOSITION INSTRUCTIONS: Function and records transferred to Publications Division.