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LC004948
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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2026

A N A C T

RELATING TO PUBLIC RECORDS -- PUBLIC RECORDS ADMINISTRATION

Introduced By: Senator Linda L. Ujifusa

Date Introduced: February 13, 2026

Referred To: Senate Judiciary

(by request)

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 38-3-4 of the General Laws in Chapter 38-3 entitled "Public Records
2 Administration" is hereby amended to read as follows:

3 **38-3-4. Duties of administrator.**

4 It shall be the duty and responsibility of the administrator to:

5 (1) Establish and administer a public records management program, for public bodies
6 which shall be primarily responsible for assisting state agencies and cities and towns with the care
7 and management of public records, including the operation of a record center or centers, and apply
8 efficient and economical management methods relating to the creation, utilization, retention,
9 preservation, and disposal of records or the transfer of permanent records to the state archives;

10 (2) Establish and administer a local government records program which shall be primarily
11 responsible for assisting cities and towns with the care and management of their public records.
12 The program shall be charged with designing and implementing a training program for local
13 government records keepers; publishing retention schedules for the proper disposition of public
14 records in local governments; and providing technical and advisory assistance in the storage,
15 preservation, and ongoing maintenance of the records of local governments;

16 (3) Analyze, develop, establish, and coordinate standards, procedures, and techniques of
17 record making and record keeping to ensure the access, security, and preservation of public records;

18 (4) Institute and maintain a training and information program including, but not limited to,
19 the publication of educational materials on all phases of records management to bring to the

1 attention of all agencies approved and current practices, methods, procedures, and devices for the
2 efficient and economical management of records;

3 (5) Make continuous surveys of record keeping operations, to examine the condition of
4 public records and recommend improvements to public officials in current records management
5 practices, space, equipment, supplies, and personnel in creating, maintaining, and making available
6 the public records in their custody;

7 (6) Establish and maintain a program, in cooperation with each agency, for the selection
8 and protection of public records considered essential to the operation of government and to the
9 protection of the rights and privileges of citizens;

10 (7) Create forms for records management processes and the development of the required
11 records control schedules submitted by an agency to the program;

12 (8) Create, analyze, and uphold records control schedules of public records in the custody
13 of state and local agencies;

14 (9) Establish safeguards against unauthorized or unlawful removal or loss of records;

15 (10) Initiate appropriate action to recover records removed unlawfully or without
16 authorization;

17 (11) Preserve and administer such public records as shall be transferred to the state archives
18 according to approved conservation and security practices, and to permit them to be inspected,
19 examined, and copied at reasonable times and under supervision of the program; provided that, any
20 record placed in keeping of the program under special terms or conditions restricting their use shall
21 be made available only in accordance with the provisions of § 38-2-2;

22 (12) Provide a public research room where, upon policies established by the program, the
23 records in the state archives may be studied;

24 (13) Make certified copies under seal of any records transferred to it upon the application
25 of any person, and sign the certificates which shall have the same force and effect as if made by the
26 agency from which the records were received. The program may charge a reasonable fee for this
27 service;

28 (14) Assist agencies in identifying, securing, and transferring records of permanent legal,
29 historical or enduring value to the state archives;

30 (15) Approve emergency destruction of public records which were damaged due to
31 catastrophic, environmental, or otherwise unforeseen circumstances and pose a risk to human
32 health, but have not met their established retention;

33 (16) Submit a yearly report on the progress of the local government records program to the
34 general officers and to the general assembly;

1 (17) Request funding for the public records administration program in accordance with §
2 38-3-3 and for the local government records program pursuant to § 42-8.1-20(e) as part of the
3 operating budget of the office of secretary of state to operate the program;
4 (18) Render all services required by the program herein set forth that can advantageously
5 and effectively be centralized;
6 (19) Facilitate the transfer of permanent records of any state or local agency, elected
7 official, or of the general assembly to the state archives for permanent preservation and public
8 access; ~~and~~
9 (20) Perform such other functions and duties as the secretary may direct; ~~and~~
10 (21) Create and adopt a uniform statewide access to public records request form, and to
11 promulgate consistent standards for the use of this form that is applicable to all public bodies,
12 consistent with the provisions of chapter 2 of title 38 (“access to public records”).
13 SECTION 2. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
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RELATING TO PUBLIC RECORDS -- PUBLIC RECORDS ADMINISTRATION

- 1 This act would direct the administrator of the public records management program to adopt
2 a uniform statewide access to public records request form, and to promulgate consistent standards
3 for the use of this form that is applicable to all public bodies.
4 This act would take effect upon passage.

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