The Wisconsin Municipal Records Schedule:
An Overview

Wisconsin Department of Justice
Office of Open Government
State Bar of Wisconsin
Public Records, Open Meetings Update 2019
September 11, 2019
Milwaukee
Record Retention under the Public Records Law

  - Wis. Stat. § 19.35(5): Governs retention following receipt of a request:
    - No destruction until the request is granted or until at least 60 days after the authority denies the request
    - 90 days if requester is committed or incarcerated
    - No destruction during enforcement action
Other Record Retention Statutes

- Wis. Stat. § 16.61: State authorities
- Wis. Stat. § 19.21: Local authorities
  - Generally, a seven-year retention period for most records
  - The Public Records Board (PRB) may set shorter periods
    - PRB has oversight and accountability for the state’s records program
Types of Record Retention Schedules

- Agency-specific **Records Retention/Disposition Authorizations** (RDAs)
  - Deviate from the GRSs to meet specific agency needs
- **General Records Schedules** (GRSs)
  - State agencies are bound to follow
    - Unless they opt out and adopt corresponding RDAs within 12 months
  - Local government units may opt in
Local Government Retention Schedules

- County General Records Schedule
  - PRB approved in May 2010

- Wisconsin Municipal Records Schedule (WMRS)
  - PRB approved on August 27, 2018
  - Wisconsin Historical Society led effort
  - Little Orange Book contained retention schedules but expired in late 1980s
    - Work group updated and reformatted the Little Orange Book
    - Worked with local government groups and PRB’s Policy Committee
Wisconsin Municipal Records Schedule

- WMRS includes schedules for approximately 166 record series titles
- Main categories of records:
  - Administrative Records, Common Council/Village Board/Town Board, Cemetery Records, Community Development/Public Services, Election Records, Finance Records, Public Works, Revenue Records
- Does not include law enforcement records schedules
  - May be explored in the future
- Guidance in developing law enforcement records schedules:
  - Counties General Records Schedule (sheriff’s records)
    - Specifically, sheriff’s records
  - Agency-specific schedules (RDAs)
    - For example, DOJ (Division of Criminal Investigation), local government units
Adoption of WMRS by Municipalities

- Municipalities may adopt it, but they are not required to do so
- To adopt WMRS:
  - Submit the Notification of General Schedules Adoption form (PRB-002) to WHS
  - PRB will return a signed copy to the municipality
  - Following receipt of PRB approval, the municipality should enact an ordinance adopting WMRS as their official records retention schedule
- Municipalities should:
  - Supersede any existing ordinances covering records included in the adopted WMRS
  - Retain any approved schedules in existing ordinances for records that are not covered by WMRS
- Municipalities may also adopt other GRSs provided by the PRB or submit their own RDAs for PRB approval
Additional Information

- Contact your legal counsel
- Visit the Public Records Board’s website:
  - [http://publicrecordsboard.gov](http://publicrecordsboard.gov)
- A copy of the WMRS and the Notification of GRS Adoption Form are included in the presentation materials
Public Records Board Website
Public Records Board Website, continued

General Record Schedules (GRSs) are a mechanism for systematic retention and disposition of similar types of records across all government units. GRSs eliminate the need for state agencies to develop and seek approval of their own records retention disposition authorizations (RDAs). They lend consistency to recordkeeping across all government units and provide assurance of accountability to the public. The Public Records Board (PRB) supports the development of, and has approved, GRSs in several functional areas. Their policy statement mandates usage and implementation of these schedules, as well as contains a process and requirements that state agencies must use to opt out of any or all of them, in whole or in part. It also provides implementation guidance and frequently asked questions.

Upon PRB approval of a General Records Schedule, the implementation of said schedules by Wisconsin state agencies is mandatory and immediate. Implementation of a PRB-commissioned GRS by the UW System Administration, all UW campuses, all Wisconsin counties, municipalities or other local units of government is optional but recommended. The policy is in accordance with the authority outlined under Wis. Stats. § 16.01.

The UW System Administration, all UW campuses, all Wisconsin counties, municipalities or other local units of government must complete and submit the GRS Adoption form to notify the PRB of their intent to opt in to a GRS.

For information on: Who May Use General Records Schedules, Records Responsibilities, Records Format, Retaining Records, Confidential and Personally Identifiable Information, and Understanding the GRS Categories see the Introduction to General Records Schedules.

For information on records retention by Counties and Municipalities see the Records Resources tab, Counties & Municipalities section.

- County Records and Addendums
- County Records Introduction and Adoption Forms
- Municipal Records
- Public Libraries & Public Library Systems
- School Districts
Contact the Office of Open Government

- Write: Office of Open Government
  Department of Justice
  P.O. Box 7857
  Madison, WI 53707-7857
- Tel: (608) 267-2220
- Email: fergusonpm@doj.state.wi.us
The Wisconsin Municipal Records Schedule: An Overview

Wisconsin Department of Justice
Office of Open Government
State Bar of Wisconsin
Public Records, Open Meetings Update 2019
September 11, 2019
Milwaukee