
Managing Your Records And

The “Local Records Act”



A Guide to Records Disposal

Office of the Secretary of State
Division of Archives & Records
Records Management Section
Local Records Unit

Margaret Cross-Norton Building
Capitol Complex
Springfield, IL 62756
(217)782-7075

What is a public record under the “Local Records Act”?

"Public record" means any book, paper, map, photograph, digitized electronic material, or other official documentary material, regardless of physical form or characteristics, made, produced, executed or received by any agency or officer pursuant to law or in connection with the transaction of public business and preserved or appropriate for preservation by such agency or officer, or any successor thereof, as evidence of the organization, function, policies, decisions, procedures, or other activities thereof, or because of the informational data contained therein.

Library and museum material made or acquired and preserved solely for reference or exhibition purposes, extra copies of documents preserved only for convenience of reference, and stocks of publications and of processed documents are not included within the definition of public record. (Source: P.A. 89-272, eff. 8-10-95.)

Are faxes, videos, emails, and instant messages records, etc.?

Yes, depending on the information contained in the fax, email or instant message or the information recorded on the dvd, cd, video, or cassette tape. If the information fits the definition above it is a public record subject to the provisions of the “Local Records Act” regardless of the media the data is maintained in.

We no longer maintain records simply on paper or on microfilm. Data can be stored on many types of media including cassette tapes, magnetic tapes, floppy disks, hard-drives, cd's, dvd's, etc.

Effective January 1, 2001, the [Local Records Act \(50 ILCS 205\)](#) was amended to allow Local Government agencies to reproduce existing public records in a digitized electronic format with the intent to dispose of the original records. This practice is only allowable if the electronic records are reproduced on a "durable medium that accurately and legibly reproduces the original record in all details," and "that does not permit additions, deletions, or changes to the original document images."

In addition, the digital records must be "retained in a trustworthy manner so that the records, and the information contained in the records, are accessible and usable for subsequent reference at all times while the information must be retained."

Each agency is also under the obligation to file a Records Disposal Certificate with the appropriate Local Records Commission before any original record may be disposed of and before the reproduced digital record is disposed of.

How Can I Legally Dispose of Records?

1. Each agency must submit an “Application for Authority to Dispose of Local Records” to the appropriate Local Records Commission prior to the destruction of any record. (See sample Application in packet)
2. After the Application has been approved by the Local Records Commission it will become your agency’s Records Retention Schedule.
3. You can then dispose of records after the minimum retention period listed for each record series is met, provided no litigation is pending or anticipated and providing all audit requirements (local, state, and federal) have been met and after your have submitted and received an approved Local Records Disposal Certificate from the appropriate Local Records Commission.
4. Disposal Certificates must be submitted to the Local Records Commission authorizing the destruction at least sixty (60) days before the date the agency wishes to dispose of the records per Section 400.40 of the Illinois Administrative Code.
5. Under 720 ILCS 5/32-8. Tampering with public records. A person who knowingly and without lawful authority alters, destroys, defaces, removes or conceals any public record commits a Class 4 felony. (Source: Public Act 77-2638)
6. Who prepares the Application? A Local Records Unit field representative from the State Archives will inventory your agency’s records for you at no charge to the agency and submit the Application to the Commission for your agency.
7. The Local Records field representative can also prepare your first Local Records Disposal Certificate for you at no charge and explain the procedures for preparing the Disposal Certificate.
8. If you already have a schedule and would like assistance in completing the disposal certificate, need to have additional record series added to your current application, or need a new application please call our office at (217)782-1080 and ask to have an appointment scheduled with a field representative.
9. If you intend to microfilm your records, the Local Records Commission has established standards for microfilming. Copies of the standards for microfilming may be printed out from our web page. If you do not have access to the internet and need copies of the regulations please call our office at (217)782-7075 and ask to have copies mailed to your office.

**Sample
Records Retention Schedule**

**APPLICATION FOR AUTHORITY
TO DISPOSE OF LOCAL RECORDS**

Application No. 91:284

Page 1 of 13

**State of Illinois
Local Records Commission**
Archives Building
SPRINGFIELD, IL 62756
(217)782-7075

COUNTY _____ CITY _____
Lake Barrington 60010
AGENCY _____
XYZ Township
ADDRESS _____
1234 Main Street
PHONE (708)555-1212

LOCAL RECORDS COMMISSION APPROVAL

Robert E. Ausbury

CHAIRMAN

John Daly

DIRECTOR, STATE ARCHIVES

November 5, 1991

DATE

I hereby request authority to dispose of local government records according to the schedule below. I certify that any microfilm or digitized copies will be made in accordance with standards of the Local Records Commission and will be adequate substitutes for the original records.

Signature of Agency Head

Date

**RECORDS LISTED ON THIS APPLICATION MAY BE DISPOSED OF
AFTER THEIR INDIVIDUAL RETENTION PERIOD IS COMPLETE:**

- IF THEY ARE CORRECTLY LISTED ON A RECORDS DISPOSAL CERTIFICATE SUBMITTED TO AND APPROVED BY THE LOCAL RECORDS COMMISSION SIXTY (60) DAYS PRIOR TO DISPOSAL,
- PROVIDING ANY LOCAL, STATE, AND FEDERAL AUDIT REQUIREMENTS HAVE BEEN MET,
- AS LONG AS THEY ARE NOT NEEDED FOR ANY LITIGATION EITHER PENDING OR ANTICIPATED,
- THIS RECORDS RETENTION SCHEDULE DOES NOT RELIEVE LOCAL GOVERNMENTS OF RETENTION REQUIREMENTS MANDATED BY OTHER STATE AND FEDERAL STATUTES AND REGULATIONS. WHEN SUCH AN OBLIGATION DOES EXIST, THEN THE LONGER RETENTION PERIOD TAKES PRECEDENCE.

Any record on this application may be microfilmed or digitized and the record disposed of if the record is microfilmed or digitized in accordance with the standards of the Local Records Commission Rules and if the film or digitized record is retained for the prescribed retention period. Disposal of records after microfilming or digitizing must be noted on the Records Disposal Certificate.

SAMPLE RECORDS RETENTION SCHEDULE

Administrative & Miscellaneous Records

100. APPLICATIONS FOR AUTHORITY TO DISPOSE OF LOCAL RECORDS AND RECORDS DISPOSAL CERTIFICATES

Dates: 2004-
Volume: Negligible
Annual Accumulation: Negligible
Arrangement: Alphabetical by subject

Recommendation: Retain permanently.

101. ACKNOWLEDGEMENTS OF RECEIPT OF REPORTS BY STATE AGENCIES

Dates: 1974-
Volume: Negligible
Annual Accumulation: Negligible
Arrangement: Chronological

Recommendation: Retain for two (2) years, then dispose of.

102. ADMINISTRATIVE FILES (CORRESPONDENCE, PAMPHLETS FROM PUBLIC AND PRIVATE AGENCIES, LEGISLATION COPIES OF MINUTES FROM PROFESSIONAL ORGANIZATIONS, ETC.)

Dates: 1953-
Volume: 4½ Cu. Ft.
Annual Accumulation: ¼ Cu. Ft.
Arrangement: Alphabetical by subject

Recommendation: Retain for one (1) year, then dispose of records no longer possessing any further administrative, fiscal, legal, and/or historical value.

103. BIDS, SPECIFICATIONS AND PROPOSALS

Dates: 1966-
Volume: Negligible
Annual Accumulation: Negligible
Arrangement: Chronological and Alphabetical by Project

Recommendation: Retain successful bids for ten (10) years after terms of the related contract are completed, then dispose of. Retain unsuccessful bids for three (3) years after rejection, then dispose of. Retain departmental copies until the bidding process is complete, then dispose of.

104. CEMETERY RECORDS

Dates: 1999-
Volume: Negligible
Annual Accumulation: Negligible
Arrangement: Chronological

Recommendation: Retain permanently.

105. CERTIFICATES OF MEMBERSHIP - TOWNSHIP OFFICIALS OF ILLINOIS

Dates: 1996-
Volume: Negligible
Annual Accumulation: Negligible
Arrangement: Chronological

Recommendation: Retain until administrative use is complete, then dispose of.

106. COMPLAINTS BY CITIZENS

Dates: 1969-
Volume: Negligible
Annual Accumulation: Negligible
Arrangement: Chronological

Recommendation: Retain for seven (7) years after retirement, then dispose of.

107. CONTRACTS, LEASES, AND AGREEMENTS FOR GOODS AND SERVICES

Dates: 1965-
Volume: Negligible
Annual Accumulation: Negligible
Arrangement: Alphabetical by subject

Recommendation: Retain contracts and contract renewals for ten (10) years after termination or completion of the terms of the contract, agreement, or lease, then dispose of. Copies: retain for two (2) years, then dispose of.

108. DECENNIAL CENSUS RECORDS

Dates: 1999-
Volume: Negligible
Annual Accumulation: Negligible
Arrangement: Chronological

Recommendation: Retain for ten (10) years, then dispose of.

109. EQUIPMENT AND VEHICLE RECORDS (OPERATION MANUALS, SERVICE ORDERS, WARRANTIES, REPAIR TICKETS, BILLS OF SALE, ETC.)

Dates: 1965-
Volume: 1 Cu. Ft.
Annual Accumulation: Negligible
Arrangement: Chronological and alphabetical by equipment

Recommendation: Retain until equipment is sold, traded, or junked, then dispose of.

110. "FREEDOM OF INFORMATION ACT" REQUESTS AND DENIALS

Dates: 2004-
Volume: Negligible
Annual Accumulation: Negligible
Arrangement: Chronological

Recommendation: Retain for two (2) years from date of filing, then dispose of.

111. GAS TICKETS
- Dates: 1975-
Volume: Negligible
Annual Accumulation: Negligible
Arrangement: Chronological
- Recommendation: Retain for three (3) years, then dispose of.
112. ILLINOIS COMMERCE COMMISSION RECORDS CONCERNING INDIAN POINT TOWNSHIP
- Dates: 1983-
Volume: Negligible
Annual Accumulation: Negligible
Arrangement: Chronological
- Recommendation: Retain for three (3) years following settlement of case, then dispose of.
113. INVENTORIES OF EQUIPMENT, SUPPLIES, ETC.
- Dates: 1966-
Volume: Negligible
Annual Accumulation: Negligible
Arrangement: Chronological
- Recommendation: Retain for two (2) years after superseded by new inventory, then dispose of.

**Sample
Local Records Disposal Certificate**

-Sample-

RECORDS DISPOSAL CERTIFICATE

APPLICATION NO. 91:284

COUNTY: LAKE

AGENCY: XYZ TOWNSHIP

STREET ADDRESS: 1234 MAIN ST. PO BOX 283

CITY & ZIP CODE: BARRINGTON 60010

TELEPHONE: (815)555-1212

CONTACT PERSON: JANE SMITH

MAIL TO: **Local Records Commission**
Margaret Cross Norton Bldg.
Capital Complex
Springfield, Illinois 62756
(217) 782-7075

Directions:

1. Fill in all blanks and columns using your Application For Authority to Dispose of Local Records as a guideline.
2. Sign and send the Disposal Certificate to the address above sixty (60) days prior to the disposal date.
3. Retain records and a copy of this Disposal Certificate until the disposal certificate is approved and a copy is returned.

Note: Please Retain the approved copy of this Disposal Certificate permanently, with your Application for Authority to Dispose of Local Records.

APPLICATION ITEM NO.	RECORD SERIES	INCLUSIVE DATES	CUBIC FEET TO BE DISPOSED
103.	Bids, Specs., and Proposals (Unsuccessful)	1999-2000	Neg.
103.	Bids, Specs., and Proposals (Successful)	1966-1986	Neg.
111.	Gas Tickets	1975-2000	Neg.

Please list each record series in numeric order by the item number from your application for each series. Also, please enter the titles for each record series as listed on your application.

Do not list any record series on this Disposal Certificate which have not been approved for disposal by the Local Records Commission. If you have records to dispose of which are not listed on your Application then please call our office and request that a field representative add the items to your Application. In some instances it may be necessary to do a new inventory

Computing Cubic Feet:
 1 Full Letter Size Drawer = 1.5 Cu. Ft.
 1 Full Legal Size Drawer = 2.0 Cu. Ft.
 1 Full Lateral File Size Drawer or Banker Box = 2.5 Cu. Ft.

If you just have a few files folders (less than .25 Cu. Ft. then enter "Negligible" as the cubic feet to be disposed of
 A box about the size, copy paper is received in generally holds approximately 1 Cu. Ft.

For assistance in computing the retention period see the attached chart.
If you need additional assistance please call the Local Records Unit (217)782-7075
 If you would like a copy of a blank Disposal Certificate to use as template in Microsoft Word 97 please send an email to scowles@ilsos.net and request a blank disposal certificate.

Comment [G1]: Type in the item no. from the application that corresponds to the records series, for instance item 5 (item #'s are listed in the left side of the form) are Claims for Reimbursement. For the Record Series title please use the title as listed on the application (i.e. Claims for Reimbursement).

If any of the above records are **filmed**, I hereby certify that the film on which the records were reproduced complies with the standards given in Sections 4000.50 and 4000.60 of the Regulations of the

Local Records Commission. If records are **digitized**, I certify that the original is reproduced accurately and legibly in all details in a medium that does not permit additions, deletions, or changes to the images.

X

(Signature required only if records have been microfilmed or digitized).

I hereby certify that in compliance with authorization received from the Local Records Commission the records listed above will be disposed of on or after the following date:

November 1, 2006

This date should be 60 days after the date of signature

Jane Doe

SIGNATURE

Jane Does, Township Supervisor

September 1, 2006

ENTER CURRENT DATE HERE

Please print name and title on the line above

Comment [G2]: Type in the date you wish to dispose of these records. Disposal Certificates are to be submitted 60 days before you intend to dispose of the records. One of the reasons for the delay, is that the IL Regional Depository System (IRAD) reviews the disposals to see if there are any historical records they may be interested in placing in one of our regional depositories located at several of the state university libraries.

Computing Retention Periods For Disposal Certificates

In accordance with the Illinois Administrative Code, Section 4000.40 please submit

Disposal Certificates at least 60 days in advance

of when you intend to dispose of the records.

In 2006 You May Submit A Disposal Certificate To Dispose of Records Listed on Your

Application For Authority to Dispose of Local Records

For The Following Calendar Years.

If The Retention Period Is:	Note	Latest Date of Records
1 Year	You May Dispose of Records Dated December 2002 or earlier	2004
2 Years	You May Dispose of Records Dated December 2001 or earlier	2003
3 Years	You May Dispose of Records Dated December 2000 or earlier	2002
4 Years	You May Dispose of Records Dated December 1999 or earlier	2001
5 Years	You May Dispose of Records Dated December 1998 or earlier	2000
6 Years	You May Dispose of Records Dated December 1997 or earlier	1999
7 Years	You May Dispose of Records Dated December 1996 or earlier	1998
8 Years	You May Dispose of Records Dated December 1995 or earlier	1997
9 Years	You May Dispose of Records Dated December 1994 or earlier	1996
10 Years	You May Dispose of Records Dated December 1993 or earlier	1995
11 Years	You May Dispose of Records Dated December 1992 or earlier	1994
12 Years	You May Dispose of Records Dated December 1991 or earlier	1993
13 Years	You May Dispose of Records Dated December 1990 or earlier	1992
14 Years	You May Dispose of Records Dated December 1989 or earlier	1991
15 Years	You May Dispose of Records Dated December 1988 or earlier	1990

**If you need additional assistance please call the Local Records Unit at
(217)782-7075**



Local Records Disposal Certificate

A *Local Records Disposal Certificate* must be filed with and approved by the Local Records Commission before any records may be destroyed. A *Local Records Disposal Certificate* form can be downloaded in Adobe Acrobat format. The form can be completed using Adobe Acrobat Reader 3.0 or later in your web browser or the file can be saved to disk and used with Adobe Acrobat Reader 3.0 outside your web browser. Macintosh and Windows versions of Acrobat Reader may be downloaded free of charge from Adobe.

- To use the form in your web browser with Adobe Acrobat Reader 3.0 or later, simply click on the link below.
- To save the file to disk, right click on the link below and choose a download location. After the file has been saved to disk, you can open the form in Acrobat Reader 3.0 or later and complete it at any time.
- If you need help in filling out this form or need a paper copy sent to your agency, call (217) 782-7075.

Instructions for Completing a *Local Records Disposal Certificate*

When you open the *Local Records Disposal Certificate* form in Adobe Acrobat Reader, the cursor will be located at the first point at which data should be entered. Use the Tab key to move to the various data entry points or place your cursor where you would like to enter data.

Data Entry Points

- **Application Number**
On the line in the upper right-hand corner of the form, enter the record application number from the *Application for Authority to Dispose of Local Records* which lists the records to be disposed of. This number will automatically be filled in at the bottom of the form.
- **County**
Enter the name of county.
- **Agency and Division**
Enter the agency and division.
- **Address and Telephone Number**
Enter the address and telephone number of the agency.

- **Item Number from Application**
Enter the item number from the *Application for Authority to Dispose of Local Records* for each individual item to be disposed of.

- **Title of Record Series**
Enter the title of each record series to be disposed of.

- **Inclusive Dates**
List the beginning and ending date span for each record series to be disposed of.

- **Cubic Feet to be Destroyed**
List the number of cubic feet of records for each record series to be disposed of.

- **Disposal Date**
Enter the date on or after which the records will be disposed of.

Print the completed *Local Records Disposal Certificate* form in Adobe Acrobat Reader. At the bottom of the form, the person requesting disposal should sign and date the disposal certificate. Please also indicate the title of the person requesting disposal and print the person's name below the signature. Agencies planning to microfilm and dispose of paper records must also sign the microfilm certification statement on the bottom left portion of the *Local Records Disposal Certificate*.

[Send the *Local Records Disposal Certificate* to the Local Records Commission, Illinois State Archives, sixty \(60\) days prior to the disposal date. Retain a copy for your file until an approved copy is returned to your agency.](#)

Do not dispose of materials until the approved copy of the *Local Records Disposal Certificate* is returned to your agency in compliance with Section 4000.40(b) of the rules of the Downstate Local Records Commission and Section 4500.40(b) of the rules of the Cook County Local Records Commission.

Download a *Local Records Disposal Certificate*



[Click here to find out how to obtain the Adobe Acrobat Reader.](#)



Download a [Local Records Disposal Certificate](#) now (Requires Adobe Acrobat Reader 3.0 or later).

VISITING OUR WEBSITE

[HTTP://ILSOS.NET](http://ilsos.net) or [HTTP://CYBERDRIVEILLINOIS.COM](http://cyberdriveillinois.com)



- 1. Click on “Departments”**
- 2. Click on “Illinois State Archives”**
- 3. Click on “State and Local Records Management”**
- 4. Click on “Local Records Management Services (For Local Government Agencies)”**



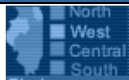
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- > License Plate Renewal
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Chicago, Illinois

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In Memory of William P. Wozniak

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The Illinois Office of the Secretary of State is the most diverse of its kind in the nation. From issuing driver licenses and registering vehicles, to promoting organ donation awareness, overseeing the Illinois State Library and administering the state's literacy efforts, my office directly touches the lives of nearly everyone in Illinois.

Jesse White
Secretary of State

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Click on "Illinois State Archives"



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RESEARCH FEE POLICY](#)

The Illinois State Archives serves by law as the depository of public records of Illinois state and local governmental agencies which possess permanent administrative, legal, or historical research values. Its collections do not include manuscript, newspaper, or other nonofficial sources.



"the archivist is bound by law to protect the integrity of...records in such a manner that their value to the individual shall not be impaired."

—Margaret Cross Norton,
First Director of the
Illinois State Archives

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Illinois State Archives
Norton Building
Capitol Complex
Springfield, IL 62756

TELEPHONE:
(217) 782-4682
Fax: (217) 524-3930

HOURS:
Monday – Friday
8:00 a.m. – 4:30 p.m.

Saturday
8:00 a.m. – 3:30 p.m.
(except on holiday
weekends)

[Click here for
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Send questions or
comments about the
Illinois State Archives
website to:
[ISA Webmaster.](#)

Click on "State and Local Records Management"



State and Local Government Records Management Programs

The Records Management Section of the Illinois State Archives is responsible for assisting state and local government agencies with the disposal of records. In Illinois, no public record may be disposed of without the approval of the appropriate records commission.

- [Local Records Management Services \(For Local Government Agencies\)](#)
- [State Records Management Services \(For State Government Agencies\)](#)
- [Freedom of Information \(For both State and Local Government Agencies\)](#)
- [How to obtain Vital Records.](#)

For information about the procedures to dispose of state records call (217) 782-2647. To dispose of local government records call (217) 782-7075. You may also contact our office through mail, fax, or e-mail.

Records Management Section
Illinois State Archives
Springfield, Illinois 62756

Fax: (217) 524-3930
[Illinois State Archives Contact Form](#)
(Choose Records Management as the subject)



Vital Records

Although Records Management does not have access to vital records, you may wish to try one of the following sources for birth, death, marriage and divorce records:

- **For birth, death and marriage records:**
 - [Illinois State Archives](#) Deaths, 1916–1947
 - [Illinois Regional Archives Depositories \(IRAD\)](#) Births, Deaths and Marriages
 - [County Clerks](#) Births, Deaths and Marriages (certified copies)
 - [Department of Public Health, Office of Vital Records](#) Births and Deaths (certified copies)
 - **For divorce records:**
 - [Illinois Regional Archives Depositories \(IRAD\)](#)
 - [Circuit Clerks \(Address inquiries to the Circuit Clerk\)](#)
-

(For Local Government Agencies)

- [The Local Records Act \(50 ILCS ACT 205\)](#)
- [Guidelines for Using Electronic Records](#)
- [Filmed Records Certification Act \(50 ILCS 210\)](#)
- [Filmed Records Destruction Act \(50 ILCS 215\)](#)
- [Destruction of Public Records Penalty \(720 ILCS 5/32-8\)](#)
- [Rules of the Downstate Local Records Commission \(44 Ill Admin Code Title PART 4000\)](#)
- [Cook County Local Records Commission Rules \(44 Ill Admin Code Title PART 4500\)](#)
- [Local Records Disposal Certificate](#)
- [Illinois School Student Records Act \(105 ILCS 10\)](#)
- [National Media Lab—Media Stability Studies](#)

State Records Management Services

(For State Government Agencies)

- [The State Records Act \(5 ILCS 160\)](#)
- [Filmed Records Reproduction Act \(5 ILCS 170\)](#)
- [State Records Commission Rules \(44 Ill Admin Code PART 4400\)](#)
- [State Records Management Manual for Illinois State Agencies](#)
- [Download a State Records Disposal Certificate](#)
- [Guidelines for Use of the State Records Center](#)
- [Download a State Records Center Transfer Sheet](#)
- [Disaster Preparedness Guidelines and Information](#)

Forms to Transfer Records to the Illinois State Archives

(Contact the Inventory Control Section at (217) 782-4866 with questions about state records transfers to the Illinois State Archives.)

- [State Records Transfer Sheet](#)
- [State Records Security Microfilm Transfer Sheet](#)

Freedom of Information

(For all State and Local Government Agencies)

- [Freedom of Information Act \(5 ILCS ACT 140\)](#)
- [A Guide to the Freedom of Information Act](#)

On our web page you can also review and/or print out a copy of the “Local Records Act” and the Rules and Regulations of the Local Records Commissions as well as “Guidelines for Using Electronic Records”.

A copy of a Local Records Disposal Certificate in Adobe Acrobat is also available on-line.

If you would like a copy of a blank Local Records Disposal Certificate in Microsoft Word 97, which can be saved as either a template or in auto text, please send an email to :

scowles@ilsos.net

requesting a copy of the Local Records Disposal Certificate in Word.