

**STATE OF VERMONT SPECIFIC RECORD SCHEDULE**

**Issued to: Secretary of State, Office of the**

**Published: 8/22/2011**



Vermont State Archives and Records Administration

Vermont Office of the Secretary of State

[www.vermont-archives.org/records/schedules](http://www.vermont-archives.org/records/schedules)

**AGENCY SPECIFIC RECORD SCHEDULE FOR: Secretary of State, Office of the**

- Authority:** A custodian of public records shall not destroy, give away, sell, discard, or damage any record or records in his or her charge, unless specifically authorized by law or under a record schedule approved by the state archivist pursuant to subdivision 117(a)(5) of Title 3. (1 V.S.A. § 317a)
- Scope:** This agency specific record schedule is applicable only to the records listed on this record schedule that are produced or acquired during the course of agency business. Records are any written or recorded information, regardless of physical form or characteristics, and includes electronic or digital records and data. (1 V.S.A. § 317)
- Use:** This is an agency specific record schedule (SRS). The agency (Secretary of State, Office of the) may develop its own internal policies and procedures to assure that the requirements outlined in this record schedule are being applied across the agency. Records that need to be retained until OBSOLETE must be supported by an internal policy that clearly states a specific retention requirement that best meets the agency's administrative needs. Specific Record Schedule (SRS) numbers shall be cited in all internal policies to demonstrate compliance with 1 V.S.A. § 317a.
- Exemptions:** It is the policy of Title 1, Chapter 5, Subchapter 3 of Vermont Statutes Annotated to provide for free and open examination of records consistent with Chapter 1, Article 6 of the Vermont Constitution. All people, however, have a right to privacy in their personal and economic pursuits, which ought to be protected unless specific information is needed to review the action of a governmental officer. Some records listed on this record schedule may be exempt from public inspection and copying for this reason. Security measures to protect records and information from unauthorized access, use, and disclosure are necessary if the records are exempt pursuant to 1 V.S.A. §§ 315-320. Please see Appendix B for Access Requirements and Appendix E for related legal references regarding exemptions from public inspection and copying.
- Retention:** This agency specific record schedule reflects the retention and disposition requirements for the following records regardless of their media, format, or mode of transmission. Duplicate records within the same agency that are used for specific legal, fiscal, or administrative purposes may be either retained using the retention requirement listed in this schedule or in accordance to an internal policy. Any copies of records made only for convenience of reference or informational purposes may be discarded when no longer needed unless otherwise directed through an internal policy. Duplicates or copies of records shall not be retained longer than the original records.
- Adopted by:** Signature on file. Adopted by Secretary Condos on June 13, 2011.

*James Condos, Secretary of State / Secretary of State, Office of the*

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*Date*

**STATE OF VERMONT SPECIFIC RECORD SCHEDULE**

**SRS-1501.1108: Business Name Dispute Records**

*SRS-1501.1108: This schedule is reserved for recorded evidence of activities and transactions that relate to or affect, in a specific manner, the hearing and settling of claims or disputes concerning business names.*

**Classification:** Business names (Adjudicating)

**Retention:** Retain decisions, agreements and substantive correspondence related to a business name dispute until the matter is completed and closed, plus an additional three (3) years, and then destroy.

Other records shall be retained as specified in this schedule with the exception of transitory records. Transitory records created or received as part of the business name dispute process may be weeded as appropriate in accordance with GRS-1000.1000 (Transitory Records).

**Public Access:** General

**SPECIFIC RECORDKEEPING REQUIREMENTS for SRS-1501.1108 (see APPENDIX E for related legal references)**

<b>Record Category/Type</b>	<b>Applicability/Use:</b>	<b>Appraised Value:</b>	<b>Retention/Disposition:</b>
<b>SRS-1501.1108.5</b> <b>Agreements</b> Public Access: <i>General</i>	Use for any agreement or settlement reached between parties in a dispute over the use of a business name.	Temporary (Legal)	RETAIN UNTIL: Completed/Closed PLUS: 3 Year(s) THEN: Destroy (General)
<b>SRS-1501.1108.53</b> <b>Correspondence (Substantive)</b> Public Access: <i>General</i>	Use for correspondence that has significant administrative value and/or supports decisions concerning resolving business name disputes.	Temporary (Administrative)	RETAIN UNTIL: Completed/Closed PLUS: 3 Year(s) THEN: Destroy (General)
<b>SRS-1501.1108.133</b> <b>Decisions</b> Public Access: <i>General</i>	Use for the final decision, order or ruling issued by the filing office concerning a dispute over a business name.	Temporary (Legal)	RETAIN UNTIL: Completed/Closed PLUS: 3 Year(s) THEN: Destroy (General)
<b>SRS-1501.1108.136</b> <b>Evidence</b> Public Access: <i>General</i>	Use for evidence submitted by all parties in a dispute over a business name.	Temporary (Legal)	RETAIN UNTIL: Completed/Closed PLUS: 1 Year(s) THEN: Destroy (General)

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<p><b>SRS-1501.1108.50</b>  <b>Notices, Legal</b>  Public Access: <i>General</i></p>	<p>Use for notices from the filing office declining to register business names due to their being the same, deceptively similar, or likely to be confused with or mistaken for any other business name registered or reserved in the filing office, as well as for notices of a hearing.</p>	<p>Temporary (Legal)</p>	<p>RETAIN UNTIL: Completed/Closed  PLUS: 1 Year(s)  THEN: Destroy (General)</p>
<p><b>SRS-1501.1108.62</b>  <b>Opinions</b>  Public Access: <i>General</i></p>	<p>Use for proposed findings and exceptions presented during a dispute over the use of a business name.</p>	<p>Temporary (Legal)</p>	<p>RETAIN UNTIL: Completed/Closed  PLUS: 1 Year(s)  THEN: Destroy (General)</p>
<p><b>SRS-1501.1108.126</b>  <b>Pleadings</b>  Public Access: <i>General</i></p>	<p>Use for pleadings submitted by all parties in a business name dispute.</p>	<p>Temporary (Legal)</p>	<p>RETAIN UNTIL: Completed/Closed  PLUS: 1 Year(s)  THEN: Destroy (General)</p>
<p><b>SRS-1501.1108.139</b>  <b>Requests</b>  Public Access: <i>General</i></p>	<p>Use for requests submitted to the filing office to determine whether the person to whom the business name is registered is doing business or taking steps to do business in Vermont.</p>	<p>Temporary (Legal)</p>	<p>RETAIN UNTIL: Completed/Closed  PLUS: 1 Year(s)  THEN: Destroy (General)</p>
<p><b>SRS-1501.1108.94</b>  <b>Summaries</b>  Public Access: <i>General</i></p>	<p>Use for any statement of matters officially noticed in a dispute over a business name.</p>	<p>Temporary (Legal)</p>	<p>RETAIN UNTIL: Completed/Closed  PLUS: 1 Year(s)  THEN: Destroy (General)</p>

*SRS-1501.1108 was approved by the Vermont State Archivist on 6/7/2011.*

**STATE OF VERMONT SPECIFIC RECORD SCHEDULE**

**SRS-1498.1162: Dissolution Records**

*SRS-1498.1162: This schedule is reserved for recorded evidence of activities and transactions that relate to or affect, in a specific manner, the dissolution of business entities that are formed under the laws of and legally domiciled in Vermont including, but not limited to, partnerships, limited liability companies, business corporations, and non-profit corporations. Use SRS-1498.1109 for foreign business entities.*

**Classification:** Businesses (Dissolving)

**Retention:** Retain articles of dissolution, decrees and substantive correspondence until the business entity is officially dissolved, plus an additional six (6) years, and then transfer to Vermont State Archives along with the corresponding articles of incorporation (see SRS-1498-1152).

Other records shall be retained as specified in this schedule with the exception of transitory records. Transitory records created or received as part of the dissolution process may be weeded as appropriate in accordance with GRS-1000.1000 (Transitory Records).

**Public Access:** General

**SPECIFIC RECORDKEEPING REQUIREMENTS for SRS-1498.1162 (see APPENDIX E for related legal references)**

<b>Record Category/Type</b>	<b>Applicability/Use:</b>	<b>Appraised Value:</b>	<b>Retention/Disposition:</b>
<b>SRS-1498.1162.180</b> <b>Articles of dissolution</b> Public Access: <i>General</i>	Use for articles of dissolution filed with the filing office by a business seeking to dissolve. Includes supporting material and articles of revocation of dissolution.	Permanent (Archival)	RETAIN UNTIL: Completed/Closed PLUS: 6 Year(s) THEN: Archives
<b>SRS-1498.1162.53</b> <b>Correspondence (Substantive)</b> Public Access: <i>General</i>	Use for correspondence that has significant administrative value and/or supports decisions concerning the dissolution of a business.	Permanent (Archival)	RETAIN UNTIL: Completed/Closed PLUS: 6 Year(s) THEN: Archives
<b>SRS-1498.1162.63</b> <b>Orders</b> Public Access: <i>General</i>	Use for decrees of dissolution issued by a court dissolving a business.	Permanent (Archival)	RETAIN UNTIL: Completed/Closed PLUS: 6 Year(s) THEN: Archives
<b>SRS-1498.1162.126</b> <b>Pleadings</b> Public Access: <i>General</i>	Use for pleadings submitted to a court regarding the dissolution of a business.	Temporary (Legal)	RETAIN UNTIL: Completed/Closed PLUS: 1 Year(s) THEN: Destroy (General)

*SRS-1498.1162 was approved by the Vermont State Archivist on 6/7/2011.*

**STATE OF VERMONT SPECIFIC RECORD SCHEDULE**

**SRS-1498.1109: Foreign Corporations and Trade Names**

*SRS-1498.1109: This schedule is reserved for recorded evidence of activities and transactions that relate to or affect, in a specific manner, the registration of persons doing business in Vermont under a name other than their own name; and foreign business entities incorporated under the laws of and legally domiciled in a jurisdiction other than Vermont. See SRS-1498.1152 for businesses formed under the laws of and legally domiciled in Vermont including, but not limited to, partnerships, limited liability companies, business corporations, and non-profit corporations.*

**Classification:** Businesses (Registering)

**Retention:** Retain certificates of authority, certificates of withdrawal, substantive correspondence, and the last annual report received until authority to do business in the State of Vermont expires, plus an additional six (6) years, and then destroy.

Registers or systems that serve as the formal list of foreign business entities and trade names registered in the State of Vermont shall be retained until the register is superseded and then appraised by the Vermont State Archives and Records Administration for continuing value.

Other records shall be retained as specified in this schedule with the exception of transitory records. Transitory records created or received as part of the registration process may be weeded as appropriate in accordance with GRS-1000.1000 (Transitory Records).

**Public Access:** General

**SPECIFIC RECORDKEEPING REQUIREMENTS for SRS-1498.1109 (see APPENDIX E for related legal references)**

<b>Record Category/Type</b>	<b>Applicability/Use:</b>	<b>Appraised Value:</b>	<b>Retention/Disposition:</b>
<b>SRS-1498.1109.8</b> <b>Applications</b> Public Access: <i>General</i>	Use for applications by foreign corporations seeking certificates of authority to conduct business in Vermont, certificates of withdrawal to cease business in Vermont, documents filed by and relating to partnerships, or applications for available trade names. Includes amendments and supporting material, such as certificates of good standing.	Temporary (Legal)	RETAIN UNTIL: Superseded PLUS: 6 Year(s) THEN: Destroy (General)
<b>SRS-1498.1109.21</b> <b>Certificates</b> Public Access: <i>General</i>	Use for certificates of authority and certificates of withdrawal issued to foreign corporations doing business in Vermont. Includes amended certificates.	Temporary (Legal)	RETAIN UNTIL: Expired PLUS: 6 Year(s) THEN: Destroy (General)
<b>SRS-1498.1109.53</b> <b>Correspondence (Substantive)</b> Public Access: <i>General</i>	Use for correspondence that has significant administrative value and/or supports decisions concerning the registration of a foreign corporation or trade name.	Temporary (Administrative)	RETAIN UNTIL: Expired PLUS: 6 Year(s) THEN: Destroy (General)

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<p><b>SRS-1498.1109.32</b>  <b>Declarations</b>                  Public Access: <i>General</i></p>	<p>Use for formal statements submitted to the filing office to reserve a business name, including applications to reserve a name.</p>	<p>Temporary (Legal)</p>	<p>RETAIN UNTIL: Expired                  PLUS: 0 Year(s)                  THEN: Destroy (General)</p>
<p><b>SRS-1498.1109.50</b>  <b>Notices, Legal</b>                  Public Access: <i>General</i></p>	<p>Use for legal notices issued by the filing office concerning foreign corporations, including notices of termination and notices of annual reports due.</p>	<p>Temporary (Legal)</p>	<p>RETAIN UNTIL: Completed/Closed                  PLUS: 1 Year(s)                  THEN: Destroy (General)</p>
<p><b>SRS-1498.1109.81</b>  <b>Registers</b>                  Public Access: <i>General</i></p>	<p>Use for registries, databases, recording books and similar records and systems that track the registration of foreign business entities and trade names.</p>	<p>Temporary (Legal)</p>	<p>RETAIN UNTIL: Superseded                  PLUS: 0 Year(s)                  THEN: Confirm</p>
<p><b>SRS-1498.1109.144</b>  <b>Reports</b>                  Public Access: <i>General</i></p>	<p>Use for annual reports filed as required by the office to retain authority to do business in Vermont. Retain most current report at all times and use this schedule for reports that have been superseded. The final report for shall be retained for six (6) years following the expiration of authority and then destroyed.</p>	<p>Temporary (Legal)</p>	<p>RETAIN UNTIL: Superseded                  PLUS: 0 Year(s)                  THEN: Destroy (General)</p>
<p><b>SRS-1498.1109.95</b>  <b>Summonses</b>                  Public Access: <i>General</i></p>	<p>Use for recorded evidence associated with service of process made upon the filing office as an agent for a corporation that has failed to appoint or maintain a registered agent and the filing office's actions in the forwarding of such process to such corporation.</p>	<p>Temporary (Legal)</p>	<p>RETAIN UNTIL: Completed/Closed                  PLUS: 6 Year(s)                  THEN: Destroy (General)</p>

*SRS-1498.1109 was approved by the Vermont State Archivist on 6/7/2011.*

**STATE OF VERMONT SPECIFIC RECORD SCHEDULE**

**SRS-1498.1152: Incorporation Records**

*SRS-1498.1152: This schedule is reserved for recorded evidence of activities and transactions that relate to or affect, in a specific manner, the creation and recognition of business entities that are formed under the laws of and legally domiciled in Vermont including, but not limited to, partnerships, limited liability companies, business corporations, and non-profit corporations. Use SRS-1498.1109 for foreign business entities.*

**Classification:** Businesses (Incorporating)

**Retention:** Retain articles of incorporation, certificates and substantive correspondence until business is formally dissolved, plus an additional six (6) years, and then transfer to Vermont State Archives along with the corresponding articles of dissolution (see SRS-1498-1162).

Registers or systems that serve as the formal list of business entities incorporated in the State of Vermont shall be retained until the register is superseded and then appraised by the Vermont State Archives and Records Administration for continuing value.

Other records shall be retained as specified in this schedule with the exception of transitory records. Transitory records created or received as part of the incorporation process may be weeded as appropriate in accordance with GRS-1000.1000 (Transitory Records).

**Public Access:** General

**SPECIFIC RECORDKEEPING REQUIREMENTS for SRS-1498.1152 (see APPENDIX E for related legal references)**

<b>Record Category/Type</b>	<b>Applicability/Use:</b>	<b>Appraised Value:</b>	<b>Retention/Disposition:</b>
<b>SRS-1498.1152.179</b> <b>Articles of incorporation</b> Public Access: <i>General</i>	Use for completed articles of incorporation and any supporting records submitted by a business seeking to incorporate in Vermont. Also use for amendments, restated articles of incorporation or corrections made to the original articles of incorporation.	Permanent (Archival)	RETAIN UNTIL: Life of Asset Ends PLUS: 6 Year(s) THEN: Archives
<b>SRS-1498.1152.21</b> <b>Certificates</b> Public Access: <i>General</i>	Use for certificates of incorporation issued to businesses that are formed under the laws of and legally domiciled in Vermont.	Permanent (Archival)	RETAIN UNTIL: Life of Asset Ends PLUS: 6 Year(s) THEN: Archives
<b>SRS-1498.1152.53</b> <b>Correspondence (Substantive)</b> Public Access: <i>General</i>	Use for correspondence that has significant administrative value and/or supports decisions concerning the incorporation of a business.	Permanent (Archival)	RETAIN UNTIL: Life of Asset Ends PLUS: 6 Year(s) THEN: Archives

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<p><b>SRS-1498.1152.32</b>  <b>Declarations</b>  Public Access: <i>General</i></p>	<p>Use for formal statements submitted to the filing office to reserve a business name, including applications to reserve a name.</p>	<p>Temporary (Legal)</p>	<p>RETAIN UNTIL: Expired  PLUS: 0 Year(s)  THEN: Destroy (General)</p>
<p><b>SRS-1498.1152.50</b>  <b>Notices, Legal</b>  Public Access: <i>General</i></p>	<p>Use for statements of change of agent or office, notices of termination, and notices of annual reports received from incorporated businesses.</p>	<p>Temporary (Legal)</p>	<p>RETAIN UNTIL: Completed/Closed  PLUS: 1 Year(s)  THEN: Destroy (General)</p>
<p><b>SRS-1498.1152.81</b>  <b>Registers</b>  Public Access: <i>General</i></p>	<p>Use for registries, databases, recording books and similar records and systems that track the incorporation of businesses.</p>	<p>Temporary (Legal)</p>	<p>RETAIN UNTIL: Superseded  PLUS: 0 Year(s)  THEN: Confirm</p>
<p><b>SRS-1498.1152.144</b>  <b>Reports</b>  Public Access: <i>General</i></p>	<p>Use for annual reports filed by incorporated business entities as required to retain incorporation in Vermont. Retain most current report at all times and use this schedule for reports that have been superseded. The final report for businesses that have been dissolved shall be filed with the articles of dissolution (see SRS-1498.1162).</p>	<p>Temporary (Legal)</p>	<p>RETAIN UNTIL: Superseded  PLUS: 0 Year(s)  THEN: Destroy (General)</p>
<p><b>SRS-1498.1152.95</b>  <b>Summonses</b>  Public Access: <i>General</i></p>	<p>Use for recorded evidence associated with service of process made upon the filing office as an agent for a corporation that has failed to appoint or maintain a registered agent and the filing office's actions in the forwarding of such process to such corporation.</p>	<p>Temporary (Legal)</p>	<p>RETAIN UNTIL: Completed/Closed  PLUS: 6 Year(s)  THEN: Destroy (General)</p>

**SRS-1498.1152 was approved by the Vermont State Archivist on 6/7/2011.**

**STATE OF VERMONT SPECIFIC RECORD SCHEDULE**

**SRS-1502.1109: Trademarks**

*SRS-1502.1109: This schedule is reserved for recorded evidence of activities and transactions that relate to or affect, in a specific manner, the registration of any word, name, symbol or device or any combination thereof adopted and used (1) by a manufacturer or merchant to identify their goods and distinguish them from those manufactured or sold by others, or (2) by another person on goods produced by his or her labor.*

**Classification:** Trademarks (Registering)

**Retention:** Retain applications and substantive correspondence until trademark expires, plus an additional three (3) years, and then transfer to the State Archives for permanent retention.

Registers or systems that serve as the formal list of trademarks registered in the State of Vermont shall be retained until the register is superseded and then appraised by the Vermont State Archives and Records Administration for continuing value.

Other records shall be retained as specified in this schedule with the exception of transitory records. Transitory records created or received as part of the registration process may be weeded as appropriate in accordance with GRS-1000.1000 (Transitory Records).

**Public Access:** General

**SPECIFIC RECORDKEEPING REQUIREMENTS for SRS-1502.1109 (see APPENDIX E for related legal references)**

<b>Record Category/Type</b>	<b>Applicability/Use:</b>	<b>Appraised Value:</b>	<b>Retention/Disposition:</b>
<b>SRS-1502.1109.8</b> <b>Applications</b> Public Access: <i>General</i>	Use for applications to register trademarks consisting of any word, name, symbol or device or any combination thereof adopted and used (1) by a manufacturer or merchant to identify their goods and distinguish them from those manufactured or sold by others, or (2) by another person on goods produced by his or her labor. Also use for Assignments under 9 V.S.A. § 2525 that transfer the rights to an already-registered trademark from the original registrant to a designated assignee.	Permanent (Archival)	RETAIN UNTIL: Expired PLUS: 3 Year(s) THEN: Archives
<b>SRS-1502.1109.53</b> <b>Correspondence (Substantive)</b> Public Access: <i>General</i>	Use for correspondence that has significant administrative value and/or supports decisions concerning the registration of a trademark.	Permanent (Archival)	RETAIN UNTIL: Expired PLUS: 3 Year(s) THEN: Archives
<b>SRS-1502.1109.50</b> <b>Notices, Legal</b> Public Access: <i>General</i>	Use for legal notices issued by the filing office concerning trademarks, including notifications of the need to renew and the rejection of unsuitable proposed trademarks.	Temporary (Legal)	RETAIN UNTIL: Completed/Closed PLUS: 0 Year(s) THEN: Destroy (General)

**STATE OF VERMONT SPECIFIC RECORD SCHEDULE**

**SRS-1502.1109.81**

Use for registries, databases, recording books and similar records and systems that track the registration of trademarks.

Temporary (Legal)

RETAIN UNTIL: Superseded

**Registers**

PLUS: 0 Year(s)

Public Access: *General*

THEN: Confirm

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*SRS-1502.1109 was approved by the Vermont State Archivist on 6/7/2011.*

**STATE OF VERMONT SPECIFIC RECORD SCHEDULE**

**SRS-1500.1077: Uniform Commercial Code (UCC) Filings**

*SRS-1500.1077: This schedule is reserved for recorded evidence of activities and transactions that relate to or affect, in a specific manner, the open systematized disclosure of liens created by agreement.*

**Classification:** Security interests (Recording)

**Retention:** Retain financing statements, including addendums, amendments, etc, until expired plus one additional year.

Registers or systems that serve as the formal list of Uniform Commercial Code (UCC) filings in the State of Vermont shall be retained until the register is superseded and then appraised by the Vermont State Archives and Records Administration for continuing value.

Other records shall be retained as specified in this schedule with the exception of transitory records. Transitory records created or received as part of the recording process may be weeded as appropriate in accordance with GRS-1000.1000 (Transitory Records).

IMPORTANT NOTE: "Expired" means lapsed and financing statements usually lapse five years after the date of filing unless a continuation statement is properly filed in a timely manner.

EXCEPT:

Financing statements related to a transmitting utility and/ or a "fixture filing" regarding goods that are or are to become fixtures associated with real estate do not lapse and remain in effect unless and until a termination statement is filed; and

Financing statements related to public-finance or manufactured-home transactions do not lapse until 30 years after the date of initial filing.

**Public Access:** General

**SPECIFIC RECORDKEEPING REQUIREMENTS for SRS-1500.1077 (see APPENDIX E for related legal references)**

<b>Record Category/Type</b>	<b>Applicability/Use:</b>	<b>Appraised Value:</b>	<b>Retention/Disposition:</b>
<b>SRS-1500.1077.81</b> <b>Registers</b> Public Access: <i>General</i>	Use for registries, databases, recording books and similar records and systems that track Uniform Commercial Code (UCC) filings.	Temporary (Legal)	RETAIN UNTIL: Superseded PLUS: 0 Year(s) THEN: Confirm
<b>SRS-1500.1077.167</b> <b>Registrations</b> Public Access: <i>General</i>	Use for Uniform Commercial Code (UCC) financing statements, addendums, amendments, corrections, termination statements and other forms and information submitted at the time of filing. Includes supporting material.	Temporary (Legal)	RETAIN UNTIL: Expired PLUS: 1 Year(s) THEN: Destroy (General)

**STATE OF VERMONT SPECIFIC RECORD SCHEDULE**

**SRS-1500.1077.139**

**Requests**

Public Access: **General**

Use for Uniform Commercial Code (UCC) search requests submitted to the filing office. Includes subsequent reports that may be generated to fulfill the request.

Temporary (Administrative)

RETAIN UNTIL: Completed/Closed

PLUS: 0 Year(s)

THEN: Destroy (General)

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***SRS-1500.1077 was approved by the Vermont State Archivist on 6/7/2011.***

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## Appendix A: Appraisal Values

*An appraisal value establishes the usefulness or importance of a record after its original purpose has passed. The value of a record also dictates how it must be disposed after retention requirements are met (also see "Retention Requirements"). The appraisal values below represent categories of values that may be assigned to records following the record appraisal process. See "Vermont Archival Records" in the Archives and Records Management Handbook for conditions a record must meet to be appraised as "archival."*

Appraisal Value	Description	Usage
Conditional Archival	Records may have archival value but not always.	Assigned to records that meet the conditions of a "Vermont Archival Record" under special circumstances.
Permanent (Archival)	Records have archival value.	Assigned to records that meet the conditions of a "Vermont Archival Record" and are therefore permanent (archival) records.
Temporary (Administrative)	Records have temporary administrative value.	Assigned to records that do not meet the conditions of a "Vermont Archival Record" but are needed for administrative reasons.
Temporary (Legal)	Records have temporary legal value.	Assigned to records that do not meet the conditions of a "Vermont Archival Record" but have legal requirements governing their retention.
Unappraised	Default value for records that have not been appraised.	Assigned to records that have not been appraised and do not yet have retention or disposition requirements.

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## Appendix B: Public Access Requirements

*A public access requirement is the availability of a record for public use and inspection pursuant to 1 V.S.A. §§ 315-320. Unless exempt from public inspection and copying pursuant to 1 V.S.A. § 317, records are expected to be promptly produced for public inspection upon request. Public agencies shall follow the procedure outlined in 1 V.S.A. § 318. The access requirements below represent actions agencies must take based on specific laws associated with the accessibility of their records. With general record schedules, the default requirement is always REVIEW unless it is clear that certain records are wholly exempt from public use and inspection pursuant to 1 V.S.A. § 317. Agencies using general record schedules should defer to their internal policies for specific access requirements.*

Access	Description	Usage
Exempt	Records shall not be provided for free and open examination pursuant to 1 V.S.A. §§ 315-320.	Assigned to records that are wholly exempt from public use and inspection pursuant to 1 V.S.A. § 317.
General	Records may be provided for free and open examination pursuant to 1 V.S.A. §§ 315-320.	Assigned to records that are not exempt from public inspection and copying pursuant to 1 V.S.A. § 317.
Redact	Records contain specific information that shall not be provided for free and open examination pursuant to 1 V.S.A. §§ 315-320.	Assigned to records that contain specific information that is exempt from public inspection and copying pursuant to 1 V.S.A. § 317 and require exempt information to be redacted from the records prior to public use, inspection and/or copying.
Review	Records may be provided for free and open examination pursuant to 1 V.S.A. §§ 315-320 but not always. Default value for general schedules, which require agencies to establish internal policies.	Assigned to records that are generally not exempt from public inspection and copying pursuant to 1 V.S.A. § 317 but, in limited circumstances, may be exempt. Internal review and/or policy is required.

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## Appendix C: Retention Requirements

*A retention requirement is the length of time a record must be retained by an agency before it may be destroyed or transferred to the State Archives or an agency archives (also see "Disposition Requirements"). The retention requirements below represent events or triggers that cause records to move from an active to inactive state. An "event" is tied to a specific time requirement: i.e. Retain Until "Calendar Year Ends" PLUS 3 Years.*

<b>Retention</b>	<b>Description</b>	<b>Usage</b>
Audit Complete	Retain until an audit or verification is complete.	Assigned to records that are actively used or needed until the information contained therein has been audited or verified.
Calendar Year Ends	Retain until the end of the calendar year.	Assigned to records that are actively used or needed until the end of the calendar year.
Completed/Closed	Retain until the activity or process supported by the record is completed.	Assigned to records that are actively used or needed until the activity is formally completed, closed, or finalized (includes appeals).
Expired	Retain until the conditions or requirements supported by the record are satisfied and no further action is needed.	Assigned to records that are actively used or needed until the conditions or requirements are satisfied and complete.
Fiscal Year Ends	Retain until the end of the fiscal year.	Assigned to records that are actively used or needed until the end of the fiscal year.
Life of Asset Ends	Retain for the life of the person, structure, object, organization, etc. that is the subject of the record.	Assigned to records that are actively used or needed for the life of person, structure, object, organization, etc.
Obsolete	Retain until the record is no longer needed and is valueless.	Assigned to records that have limited administrative value and may be purged when they no longer have any administrative value. Agency must develop internal policy that states when records no longer have administrative value.
Superseded	Retain until the record is superseded, updated, or revised.	Assigned to records that will be superseded, updated, or revised.

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## Appendix D: Disposition Requirements

*A disposition requirement is how an agency must dispose of a record from its legal custody once retention requirements have been met. Disposition is based on the record's appraisal value. If the record has been appraised as non-archival it will be destroyed after retention requirements are met. If appraised as archival the record will be transferred to the State Archives or agency archives for permanent preservation and access. The disposition requirements below represent actions that an agency must take once a record has met its retention requirements.*

Disposition	Description	Usage
Archives	Retain indefinitely. These records are eligible for transfer to the State Archives or agency archives.	Assigned to records that have been appraised as having archival value and are therefore permanent records.
Confirm	Confirm disposition with the Vermont State Archives and Records Administration after retention requirement has been met.	Assigned to records that are maintained in a centralized database or information system or are appraised as conditional archival.
Destroy (General)	Destroy by recycling or deleting the record.	Assigned to records that have been appraised as non-archival and are not exempt from public access. Agency discretion advised for general record schedules.
Destroy (Shred)	Destroy by shredding (includes electronic shredding).	Assigned to records that have been appraised as non-archival and are exempt from public access or contain sensitive information.
Unappraised	Default value for records that have not been appraised.	Assigned to records that have not been appraised and do not yet have retention or disposition requirements.
Weed	Separate temporary records from archival records in accordance with the approved records schedule.	Assigned to records that have been appraised as conditional archival. Upon weeding the temporary records from the archival records, transfer archival records to the Archives.

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## Appendix E: Legal References

<b>SRS-1501.1108: Business Name Dispute Records</b>		<i>Review for Exemption?</i>
11 V.S.A. § 1621	Registration of business name by persons, partnerships, and associations	No
11 V.S.A. § 1636	Termination of business name; hearing	No
3 V.S.A. § 809	Contested cases; notice; hearing; records [related to Administrative Procedure]	No
<b>SRS-1498.1162: Dissolution Records</b>		<i>Review for Exemption?</i>
11 V.S.A. § 3105	Articles of termination [related to limited liability companies]	No
11 V.S.A. § 3264	Statement of dissociation [related to partnerships]	No
11 V.S.A. § 3275	Statement of dissolution	No
11A V.S.A. § 14.01	Dissolution by incorporators or initial directors [Vermont business corporations]	No
11A V.S.A. § 14.03	Articles of dissolution [Vermont business corporations]	No
11A V.S.A. § 14.04	Revocation of dissolution [Vermont business corporations]	No
11A V.S.A. § 14.20	Involuntary termination [Vermont business corporations]	No
11A V.S.A. § 14.33	Decree of dissolution [Vermont business corporations]	No
<b>SRS-1498.1109: Foreign Corporations and Trade Names</b>		<i>Review for Exemption?</i>
11 V.S.A. § 1621	Registration of business name by persons, partnerships, and associations	No
11 V.S.A. § 1621a	Reserved name [for business entities]	No
11 V.S.A. § 1623	Registration of business name by persons, partnerships, and associations	No
11 V.S.A. § 1635	Reregistration [of business entities]	No
11 V.S.A. § 3007	Registered name [related to limited liability companies]	No

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11 V.S.A. § 3011	Service of process [limited liability companies]	No
11 V.S.A. § 3132	Application for certificate of authority	No
11 V.S.A. § 3139	Effect of failure to obtain certificate of authority	No
11 V.S.A. § 3205	Execution, filing, and recording of statements [related to partnerships and limited liability partnerships]	No
11 V.S.A. § 3302	Statement of foreign qualification [related to foreign limited liability partnership]	No
11 V.S.A. § 3482	Registration [of foreign limited partnerships]	No
11 V.S.A. § 3487	Transaction of business without registration [foreign limited partnerships]	No
11A V.S.A. § 15.01	Authority to transact business required [for foreign corporations]	No
11A V.S.A. § 15.03	Application for certificate of authority [for foreign corporations]	No
11A V.S.A. § 15.20	Withdrawal of foreign corporation	No
11A V.S.A. § 15.30	Involuntary termination [of foreign corporations]	No
11A V.S.A. § 16.22	Annual report for secretary of state [Vermont business corporations]	No
11A V.S.A. § 4.03	Registered name [related to foreign business corporations]	No
11B V.S.A. § 16.22	Biennial report for secretary of state [nonprofit corporations]	No
11B V.S.A. § 4.03	Registered name [nonprofit corporations]	No
12 V.S.A. § 855	Doing business as appointment of process agent [related to foreign corporations]	No
8 V.S.A. § 3364	Authorization for investment purposes only	No
8 V.S.A. § 3370	Service of process upon unauthorized insurer by director	No
8 V.S.A. § 3382	Acts which constitute secretary of state agent for service of process	No
8 V.S.A. § 3383	Service upon the secretary of state; notice to defendant	No
8 V.S.A. § 3431	Merger or consolidation between domestic and foreign insurers-Requirements	No



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11B V.S.A. § 2.01	Incorporators [of nonprofit corporations]	No
11B V.S.A. § 4.02	Reserved name [nonprofit corporations]	No
11B V.S.A. § 5.04	Service on [nonprofit] corporation	No

**SRS-1502.1109: Trademarks** *Review for Exemption?*

9 V.S.A. § 2522	Registration [related to trademarks]	No
9 V.S.A. § 2523	Certificate of registration; filing fee [related to trademarks]	No
9 V.S.A. § 2524	Duration and renewal [related to trademarks]	No
9 V.S.A. § 2525	Assignments [related to registered trademarks]	No
9 V.S.A. § 2526	Applications for registration; classification	No
9 V.S.A. § 2527	Suitability for registration [related to trademarks]	No

**SRS-1500.1077: Uniform Commercial Code (UCC) Filings** *Review for Exemption?*

04 020 CVR 003	Uniform Commercial Code - Revised Article 9 - Administrative rules	No
9A V.S.A. § 9-501	Filing Office [related to financing statements under the Uniform Commercial Code]	No
9A V.S.A. § 9-515	Duration and effectiveness of financing statement; effect of lapsed financing statement	No
9A V.S.A. § 9-519	Numbering, maintaining, and indexing records; communicating information provided in records	No
9A V.S.A. § 9-521	Uniform form of written financing statement and amendment	No
9A V.S.A. § 9-522	Maintenance and destruction of records [related to financing statements]	No
9A V.S.A. § 9-523	Information from filing office; sale or license of records	No