171.640. Documentation of agency matters — Standards, rules and regulations. — The head of each state or local agency shall cause to be made and preserved records containing adequate and proper documentation of the organizational functions, policies, decisions, procedures, and essential transactions of the agency and designed to furnish information necessary to protect the legal and financial rights of the government and of persons directly affected by the agency's activities. Such documentation shall be created, managed, and preserved in accordance with standards, rules and regulations prescribed by the department under the provisions of KRS 171.410 to 171.740. (Enact. Acts 1958, ch. 49, § 24; 1986, ch. 66, § 2, effective July 15, 1986.)

e.g. July 14 directive to UK President

171.650. Public nature of agency records. [Repealed.]

Unless otherwise provided by law, all papers, books, and other records of any matters required by law or administrative rule to be kept by any agency, and all records arising from the exercise of functions authorized thereby, are public records and shall be open to inspection by any interested person subject to reasonable rules as to time and place of inspection established by KRS 12.080. A certified copy of any public record, subject to any such rules in effect, shall be furnished by the custodian thereof, to any person requesting it, upon the payment of such reasonable fee therefor as may be prescribed by law or by administrative rule.

Compiler's Notes. This section (Acts 1958, ch. 49, § 25) was repealed by Acts 1976, ch. 273, § 10. For present law see KRS 61.870 to 61.884.

171.660. Authorized reproductions — Disposal of originals.

When the Governor, Lieutenant Governor, or any state agency or subdivision or the principal officer thereof, shall reproduce and preserve for record any records or papers by photographic, microphotographic, nonerasable optical image, or other process which accurately reproduces the original records, which forms a durable medium, and which is performed in accordance with rules and regulations promulgated by the department, the original may be disposed of or destroyed.
(Enact. Acts 1958, ch. 49, § 26; 1970, ch. 92, § 51; 1986, ch. 223, § 1, effective July 15, 1986; 1990, ch. 37, § 1, effective July 13, 1990; 1990, ch. 88, § 82.)

(2) Any such reproductions shall be deemed the originals of the records or papers for all purposes, and any facsimiles, certified copies or reproductions thereof, or any prints or enlargements of the reproductions shall be admissible as evidence in any court or proceeding of this Commonwealth, and shall be prima facie evidence of the facts set forth in and the contents of the original records or papers. (Enact. Acts 1958, ch. 49, § 26; 1970, ch. 92, § 51; 1986, ch. 223, § 1, effective July 15, 1986.)

171.670. Destruction of records. — When there is a question whether a particular record of group of records should be destroyed, the commission shall have exclusive authority to decide whether or not the record or group of records are to be destroyed. (Enact. Acts 1958, ch. 49, § 27; 1962, ch. 106, Art. V, § 4; 1970, ch. 92, § 52; 1982, ch. 245, § 6, effective July 15, 1982.)

171.680. Records management by agencies. — (1) The head of each state and local agency shall establish and maintain an active, continuing program for the economical and efficient management of the records of the agency.

(2) Such program shall provide for:

(a) Effective controls over the creation, maintenance, and use of records in the conduct of current business;

(b) Cooperation with the department in applying standards, procedures, and techniques designed to improve the management of records;

(c) Promotion of the maintenance and security of records deemed appropriate for preservation, and facilitation of the segregation and disposal of records of temporary value;

(d) Compliance with the provisions of KRS 171.410 to 171.740 and the rules and regulations of the department. (Enact. Acts 1958, ch. 49, § 28; 1970, ch. 92, § 53.)

171.690. Storage of agency records. — Whenever the head of a state or local agency determines that substantial economies or increased operating efficiency can be effected thereby, he shall provide for the storage, processing and servicing of records that are appropriate therefor in the records center maintained and operated by the department or, when approved by the department in such location maintained and operated by the head of such agency. (Enact. Acts 1958, ch. 49, § 29; 1970, ch. 92, § 54.)

171.700. Certification of records. — Any official who is authorized to certify to facts on the basis of records in his custody is authorized to certify to facts on the basis of records that have been transferred by him or his predecessors to the department, further provided, that any fee due any official of the state or its subdivision shall not be eliminated by KRS 171.410 to 171.740. (Enact. Acts 1958, ch. 49, § 30; 1970, ch. 92, § 55.)

171.710. Safeguarding agency records. — The head of each state and local agency shall establish such safeguards against removal or loss of records as he shall deem necessary and as may be required by rules and regulations issued under authority of KRS 171.410 to 171.740. Such safeguards shall include making it known to all officials and employes of the agency that no records are to be alienated or destroyed except in accordance with law, and calling their attention to the penalties provided by law for the unlawful removal or destruction of records. (Enact. Acts 1958, ch. 49, § 31, effective June 19, 1958.)

171.720. Agency recovery of records. — The head of each state and local agency shall notify the department of any actual, impending or threatened unlawful removal, defacing, alteration or destruction of records in the custody of the agency that shall come to his attention, and with the assistance of the department shall initiate action through the attorney general for recovery of such records as shall have been unlawfully removed and for such other redress as may be provided by law. (Enact. Acts 1958, ch. 49, § 32; 1970, ch. 92, § 56.)