



**RECORDS RETENTION AND DISPOSITION SCHEDULE
SPECIFIC SCHEDULE NO. 999-021
ALCOHOLIC BEVERAGE CONTROL
ENFORCEMENT
RECORDS MANAGEMENT**

The schedule on the attached page(s) is approved with agreement to follow the records retention and disposition conditions listed below:

AGENCY APPROVALSTATE APPROVAL

AGENCY HEAD OR DEPUTY

STATE RECORDS ADMINISTRATOR

AGENCY RECORDS OFFICER

COMPTROLLER OR DEPUTY

EFFECTIVE SCHEDULE DATE

JUN 01 2004

PAGE 1 OF 2 PAGES

CONDITIONS FOR RECORDS RETENTION AND DISPOSITION

1. This schedule is continuing authority under the provisions of the Virginia Public Records Act, §§ 42.1-76, et. seq. of the *Code of Virginia* for the retention and disposition of the records as stated on the attached page(s).
2. This schedule supersedes previously approved applicable schedules.
3. This schedule is used in conjunction with the *Certificate of Records Disposal* (Form RM-3). A signed RM-3 must be approved by the designated records officer and on file in the agency or locality before records can be destroyed. After the records are destroyed, the original signed RM-3 must be sent to Library of Virginia (LVA).
4. Any records created before the Constitution of 1902 came into effect (January 1, 1904) must be offered, in writing, to the LVA before applying these disposition instructions. Offered records can be destroyed 60 days after date of the offer if no response is received from the LVA. A copy of the offer must be attached to the RM-3 form when it is submitted to the LVA.
5. All known audits and audit discrepancies regarding the listed records must be settled before the records can be destroyed.
6. All known investigations or court cases involving the listed records must be resolved before the records can be destroyed. Knowledge of subpoenas, investigations or litigation that reasonably may involve the listed records suspends any disposal or reformatting processes until all issues are resolved.
7. The retentions and dispositions listed on the attached page(s) apply regardless of physical format, i.e., paper, microfilm, audio-visual, electronic storage, optical imaging, etc. Unless prohibited by law, records may be reformatted at agency or locality discretion. All reformatting must be done in accordance with The Library of Virginia Guidelines for Electronic Records and Microfilm and with §§ 17VAC15-20-10, et. seq. of the *Virginia Administrative Code*, "Standards for the Microfilming of Public Records for Archival Retention." All records must be accessible throughout their retention period in analog or digital format. Whether the required preservation is through prolongation of appropriate hardware and/or software, reformatting or migration, it is the obligation of the agency or locality to do so.
8. Custodians of records must ensure that information in confidential or privacy protected records is protected from unauthorized disclosure through the ultimate destruction of the information. Normally, destruction of confidential or privacy-protected records will be done by shredding or pulping. "Deletion" of confidential or privacy-protected information in computer files or other electronic storage media is not acceptable. Electronic records must be "wiped" clean or the storage media physically destroyed.
9. Under the *Virginia Public Records Act*, (§ 42.1-79) the Library of Virginia is the official custodian and trustee of all state agency records transferred to the Archives, Library of Virginia. The Library may purge select records in accordance with professional archival practices in order to ensure efficient access.



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PAGE 2 OF 2 PAGES

RECORDS SERIES AND DESCRIPTION	SERIES NUMBER	SCHEDULED RETENTION AND DISPOSITION
<p><u>Summons History File</u></p> <p>The department tracks summons issued as part of an agency wide data management system, see records series 005630, "Virginia Uniform Summons". This series consists of that part of the system related to summonses. Data may be stored on or off-line for the prescribed retention period. Refer to <i>Code of Virginia</i>, §§ 4.1-105 and 19.2-74.</p>	005629	<p>Retain 25 years after calendar year of issue, then delete or destroy in compliance with No. 8 on schedule cover page.</p> <p>Maintain access to electronic records in compliance with No. 7 on schedule cover page.</p>
<p><u>Virginia Uniform Summonses</u></p> <p>This series documents the issue of Virginia Uniform Summonses by agents of the department. Agents have full law enforcement powers to enforce ABC laws or regulations and all other laws or regulations. When issued, the original copy of the summons is sent to the Circuit Court for the jurisdiction in which the violation occurred. Information is also extracted from the summons and entered in a database, see records series 005629, "Summons History File". Refer to <i>Code of Virginia</i>, §§ 4.1-105 and 19.2-74.</p>	005630	<p>Retain 1 year after end of calendar year of issue, then destroy in compliance with No. 8 on schedule cover page.</p>