



Legislation Details (With Text)

File #: 45436 **Version:** 1 **Name:** Declaring electronic records to be official records
Type: Ordinance **Status:** Passed
File created: 12/12/2016 **In control:** COMMON COUNCIL ORGANIZATIONAL COMMITTEE (ended 4/2017)
On agenda: 1/3/2017 **Final action:** 2/28/2017
Enactment date: 3/9/2017 **Enactment #:** ORD-17-00029

Title: Amending Section 3.70(9) of the Madison General Ordinances to clarify procedures for declaring electronic copies of records to be official records.

Sponsors: Paul R. Soglin, Mark Clear

Indexes:

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
2/28/2017	1	COMMON COUNCIL	Adopt	Pass
2/7/2017	1	COMMON COUNCIL ORGANIZATIONAL COMMITTEE (ended 4/2017)	RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER	Pass
1/3/2017	1	COMMON COUNCIL	Refer	Pass
12/12/2016	1	Attorney's Office/Approval Group	Referred for Introduction	

Fiscal Note

No fiscal impact.

Title

Amending Section 3.70(9) of the Madison General Ordinances to clarify procedures for declaring electronic copies of records to be official records.

Body

DRAFTER'S ANALYSIS: This amendment streamlines and clarifies the procedures for declaring electronic copies of records to be the official and original records for the purposes of complying with the Wisconsin Public Records Laws.

The Common Council of the City of Madison do hereby ordain as follows:

Subsection (9) entitled "Electronic Formatting or Other Reproduction of Records" of Section 3.70 entitled "Public Records" of the Madison General Ordinances is amended to read as follows:

"(9) Electronic Formatting or Other Reproduction of Records. Any City officer, or the director of any department or division of City government may, with the approval of the Mayor, ~~and after consulting with the~~ Director of Information Technology, may retain and preserve public records in his/her possession by means of microfilm, or another reproduction method, optical imaging or electronic formatting. Such records shall meet the standards for photographic reproduction set forth in Wis. Stat. §§ 16.61(7)(a) and (b), 2001-2002 Wis. Admin. Code § PR 1 (current through Wis. Admin. Reg. No. 467, Nov. 1994) and Wis. Admin. Code § Adm. 12 (current through Wis. Admin. Reg. 554, Feb. 2002). Such records shall be considered original records for all purposes. Such records shall be preserved along with other files of the department or division and shall be open to public inspection and copying

according to the provisions of state law and of Subsections (1) through (3) of this ordinance. This ordinance does not require that past copies of a record be converted to the new format(s). However, when the decision is made to convert old records to the new format, the original hardcopy of any document or record which has been converted to and which is also maintained as a microfilm, optical imaging, electronic formatting or other reproduction in accordance with this section the new format may be destroyed in compliance with once the Records Disposition Authorization for that records classification has been approved by the Wisconsin State Public Records Board and only when such destruction is permissible under Subsection (7) of this ordinance.