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County Election Commission Records Retention Schedule

Dear Reader:

The following document was created from the CTAS electronic library known as e-Li. This online library is maintained daily by CTAS staff and seeks to represent the most current information regarding issues relative to Tennessee county government.

We hope this information will be useful to you; reference to it will assist you with many of the questions that will arise in your tenure with county government. However, the *Tennessee Code Annotated* and other relevant laws or regulations should always be consulted before any action is taken based upon the contents of this document.

Please feel free to contact us if you have questions or comments regarding this information or any other e-Li material.

Sincerely,

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County Election Commission Records Retention Schedule

Reference Number: CTAS-2057

County Election Commission Records. The records included in this schedule are only those specific to the office of the County Election Commission. Records that may be kept in the same format by several county offices (such as employment records, purchasing records, etc.) will be found listed under topical retention schedules in this manual. To a certain extent, the records kept by county offices vary from county to county in either the format of record kept, the name given to the record, or the frequency of its occurrence. The fact that a certain record is listed in this schedule does not necessarily indicate that you should have it in your office. It may be a format for record-keeping that was never utilized in your county, or you may keep the record under a different name. If you have records in your office that are not listed in this schedule by name, check the descriptions of the records to see if we may have called it by a different term. If you still cannot locate any entry relative to the record. Contact us at the County Technical Assistance Service for guidance in determining the proper disposition of the record and so that we can make note of that record's existence to include it in future revisions of this manual.

Retention Schedule for County Election Commission		
Description of Record	Retention Period	Legal Authority/Rationale
09-001 Absentee ballots, application for —Record of voter applications for absentee ballots.	If federal election, keep 22 months then destroy. For other elections, retain six months after election then destroy.	42 U.S.C.A. § 1974 <i>et. seq.</i> T.C.A. § 2-8-108.
09-002 Absentee Voters, list of	Retain four years after election, then destroy.	Retention period based on standard election cycle.
09-003 Audit of Election Results	Retain four years after election, then destroy.	Retention period based on standard election cycle.
09-004 Ballots (paper)	If federal election, keep 22 months then destroy. For other elections, retain six months after election then destroy.	42 U.S.C.A. § 1974 <i>et. seq.</i> T.C.A. § 2-8-108.
09-005 Ballots (sample)	Retain four years after election, then destroy.	Retain in order to assist in developing ballot materials for next election cycle.
09-006 Candidate Lists —Lists of candidates participating in the election.	Retain four years after election, then destroy.	Retention period based on standard election cycle.
09-007 Certificate of Election —Copies of original certificate provided to elected officials.	Retain four years after election, then destroy.	Retention period based on standard election cycle.
09-008 Certification of Political Party Nominees —Lists of nominees qualified for placement on the ballot by certification of their names by their political party.	Retain four years after election, then destroy.	Retention period based on standard election cycle.
09-009 Death Notices —Monthly report from the state election coordinator notifying the County Election Commission of all person	Retain two years then destroy.	Keep for similar amount of time as purged registration records.

Retention Schedule for County Election Commission		
Description of Record	Retention Period	Legal Authority/Rationale
of voting age who dies with an address in their county.		
09-010 Election Commission Correspondence, General	Retain four years, then destroy.	Keep for term of office of members of the election commission.
09-011 Election Commission correspondence, Policy and Procedures —Any records of election commission correspondence that involve policy decision or procedural actions.	Permanent record.	Can be important information in the case of litigation or disciplinary action.
09-012 Election Commission, Meeting Agenda and Election Notices — Records of the agenda of election commission meetings and election notices.	Permanent record.	May be of historical significance.
09-013 Election Commission Minutes — Recorded minutes of the proceedings of election commission meetings.	Permanent record.	T.C.A. § 2-1-113.
09-014 Election Results	Permanent record.	Has historical significance.
09-015 Financial Disclosure Statements and Supplemental Reports —Statements supplied by the candidates indicating campaign incomes and expenditures.	Retain five years from date of receipt, then destroy. Retain supplemental reports five years after receipt, then destroy.	T.C.A. § 2-10-103.
09-016 Financial Records —Financial records of an individual election, which would include expenses in operating an election poll, ballot and election printing, voting machine expenses, payment to poll workers, and other miscellaneous items.	Retain five years from date of creation, then destroy unless part of an ongoing audit or investigation.	These records are necessary for audit and review purposes (T.C.A. § 10-7-404).
09-017 Financial Records, Budget — Copy of annual budget of election commission.	Retain five years from date of creation unless part of an ongoing audit or investigation.	These records are necessary for audit and review purposes (T.C.A. § 10-7-404).
09-018 Legal Records —Judicial opinions, court cases, litigation files, etc.	Permanent record.	May have administrative or historical significance.
09-019 Official Statement of Results	Retain four years after election, then destroy.	Retention period based on standard election cycle.

Retention Schedule for County Election Commission		
Description of Record	Retention Period	Legal Authority/Rationale
09-020 Personnel Records	See retention schedule 16 in this manual.	See retention schedule 16.
09-021 Poll Books (Duplicate) — Record of individuals who voted in a particular election. Usually in the form of a book in manual counties; in the form of a computer print-out in computerized counties.	Manual poll books are sent to the secretary of state to be stored for nine years with a duplicated filed with the county clerk to be stored for four years. Computer printouts are also sent to the secretary of state for nine years with a duplicate going to the county clerk for six yrs. See also Voter Signature List.	T.C.A. § 2-9-107.
09-022 Poll Worker Records — Record of individuals who worked at the polls during a given election.	Retain four years after election, then destroy.	Retention period based on standard election cycle. May aid in finding workers again.
09-023 Precinct Maps — Geographical descriptions of polling units.	Permanent record.	Possible historical significance.
09-024 Public Notices —Copies of all public notices published by the election commission.	Retain four years after election, then destroy.	Retention period based on standard election cycle. May be useful in future elections.
09-025 Purchasing Records	See retention schedule 15 in this manual.	See retention schedule 15.
09-026 Purged Voter Cards —File of records regarding voter registrations that have been removed from the permanent registration file for reasons provided in election statutes.	Retain two years, then destroy. Individual election commissions may choose to maintain these records permanently on microfilm or in electronic format.	T.C.A. § 2-2-134.
09-027 Qualifying Petitions — Petitions that candidates file with the election commission in order to qualify to be placed on the ballot.	If federal election, keep 22 months then destroy. For other elections, retain six months after election then destroy.	Keep for same period as records regarding ballots. 42 U.S.C.A. § 1974 <i>et. seq.</i> T.C.A. § 2-8-108.
09-028 Reapportionment Records	Keep until next reapportionment, then destroy.	May have legal significance until completion of next reapportionment. May assist in next reapportionment.
09-029 Register of Poll Watchers — Register of individuals appointed by candidates, political parties, or organized citizens groups to observe and guard against electoral abuse.	Retain four years, after election, then destroy.	Kept for standard election cycle.

Retention Schedule for County Election Commission		
Description of Record	Retention Period	Legal Authority/Rationale
09-030 Staff Reports —Reports including statistical info and activity reports.	Retain four years, after election, then destroy.	Kept for standard election cycle.
09-031 Tabulation of Election Results	Permanent record.	Has historical significance.
09-032 Voter Registration by Mail, List —List of voters who have registered by mail.	Working paper. Maintained until posted in permanent file, then destroy in accordance with rules of the Public Records Commission.	T.C.A. § 2-2-116. T.C.A. § 10-7-406(b).
09-033 Voter Registration Records, Inactive Tiles —Voter registration records for voters who have been sent a confirmation notice pursuant to T.C.A. § 2-2-106.	Maintain records in inactive status until information is received confirming that a registration should be reactivated or purged or until the passage of the second regular November election following the mailing of the confirmation notice.	T.C.A. § 2-2-106.
09-034 Voter Registration Records, Verification/Confirmation Programs — Any records concerning the implementation of programs and activities conducted for the purpose of ensuring the accuracy and currency of voter registration files. Include lists of the names and addresses of all persons to whom confirmation or verification notices are sent and information concerning whether or not each person has responded to the notice.	Keep for two years, then destroy.	42 U.S.C.A. § 1973gg-6.
09-035 Voter Signature List	Keep for six years, then destroy.	T.C.A. § 2-8-107.
09-036 Voting Machines, Records of —Records of purchase, maintenance, and disposition of voting machines.	Retain for five years after disposition of machine, then destroy.	Keep for administrative purposes and for audit and review purposes(T.C.A. § 10-7-404).
09-037 Voting Machine Keys, Record of	Retain six months after election.	Keep with ballot items (T.C.A. § 2-7-137).

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