



HOUSE COMMITTEE ON APPROPRIATIONS

FISCAL NOTE

HOUSE BILL NO. 854

PRINTERS NO. 1155

PRIME SPONSOR: Ecker

COST / (SAVINGS)

FUND	FY 2020/21	FY 2021/22
General Fund	\$0	\$0

SUMMARY: House Bill 854, printer's number 1155, amends The Administrative Code, providing for COVID-19 record retention. The act shall take effect immediately.

ANALYSIS: This legislation requires executive agencies and contractors to preserve all records for at least 10 years after the respective disaster order is terminated, relating to the following:

- A record created as part of the pre-decisional deliberations about an action of the executive agency or contractor which is in support of or undertaken under the authority of the order.
- A record created in connection with an action of the executive agency or contractor which is in support of or undertaken under the authority of the order.
- A record created as part of the pre-decisional deliberations about an action of the executive agency or contractor which is in support of or undertaken as part of the executive agency or contractor's response to COVID-19.
- A record created in connection with an action of the executive agency or contractor which is in support of or undertaken as part of the executive agency or contractor's response to COVID-19.

The preservation of records shall conform with the preservation of records undertaken by an executive agency or contractor in preparation for litigation. The Office of Administration shall revise its management directives relating to record management to conform with the requirements of the bill and shall provide public notice of the requirements by publishing them on its publicly accessible website. Nothing in the legislation should be construed to reduce the retention period of any Commonwealth record as provided by law or prevent the transfer of records to the State Archives for permanent retention.

FISCAL IMPACT: The enactment of this legislation should have no adverse impact on Commonwealth funds. Any additional record retention costs associated with this bill can be absorbed within current funding levels.

PREPARED BY: Casey Martin
House Appropriations Committee (R)

DATE: April 6, 2021

Estimates are calculated using the best information available. Actual costs and revenue impact incurred may vary from estimates.