

Schedule 72-7

BANKING AND FINANCE

MONEY TRANSMITTERS

June 23, 2023

Nebraska Records Management Division
3242 Salt Creek Circle
Lincoln, NE 68504
(402) 471-2559

**REQUEST FOR APPROVAL
OF RECORDS RETENTION
AND DISPOSITION SCHEDULE**

SCHEDULE

72-7

AGENCY, BOARD OR COMMISSION

BANKING AND FINANCE

DIVISION, BUREAU OR OTHER UNIT

MONEY TRANSMITTERS

**TO: STATE RECORDS ADMINISTRATOR
STATE OF NEBRASKA**

NEW

PART I – AGENCY STATEMENT:

In accordance with Section 84-1212.01, R.R.S. 1943, approval of the attached records retention and disposition schedule by the State Records Administrator is hereby requested. Retention periods and dispositions have been recommended by this agency after a careful evaluation of all factors listed in Section 84-1212.01, R.R.S. 1943.

SIGNATURE

Kelly Lamons

TITLE **Director**

DATE **Jun 21, 2023**

PART II – APPROVAL OF STATE ARCHIVES:

The attached schedule has been analyzed, all archival and historical material has been properly identified, no disposition except by transfer to the State Archives has been recommended for such material, and this schedule is approved as submitted.

SIGNATURE

Anna Holley

Anna Holley (Jun 23, 2023 08:08 CDT)

DATE

Jun 23, 2023

PART III – APPROVAL OF AUDITOR OF PUBLIC ACCOUNTS:

The attached schedule has been reviewed, all audit material has been properly identified, and this schedule is approved as submitted.

SIGNATURE

Pat Reding

Pat Reding (Jun 23, 2023 09:36 CDT)

DATE

Jun 23, 2023

PART IV – APPROVAL OF STATE RECORDS ADMINISTRATOR:

The attached schedule has been reviewed in accordance with Section 84-1212.01, R.R.S. 1943, and is approved as submitted.

SIGNATURE

Robert B. Eeven

Robert B. Eeven (Jun 23, 2023 10:05 CDT)

DATE

June 23, 2023

RMA 01005D

INSTRUCTIONS FOR USING THIS SCHEDULE

Records retention and disposition schedules are designed to serve as your records management guideline for storing and disposing of agency records, **regardless of the media on which they reside**, including paper, microfilm, diskettes, optical disks, CDs, DVDs, servers, computer hard drives, etc. This schedule was written specifically for records unique to your office and the State Agencies General Records Schedule #124 contains those records common to most state government agencies. This retention schedule, which is approved by the State Records Administrator, provides your only ongoing authority to dispose of records. Listed below are some basic procedures to follow when applying your schedule.

DISPOSING OF RECORDS

1. Check your schedules to see what the retention period is. Note: Your agency's unique schedule will take precedence over State Agencies General Records Schedule #124 for any items which have differences in retention requirements.
2. Dispose of records that have met their retention periods. Unless there is pending or on going, legal action, records request, or audit.
3. For records requiring a review of, or transfer to the **NE State Historical Society (State Archives)**, your agency is required to contact the State Archives to negotiate the transfer. Additionally, **once the records are accessioned into their collection, they become the property of the State Archives** (Neb. Rev. Stat. §82-105). The State Archives may remove selected records in accordance with standard archival practices to ensure efficient access, organization and enduring historical value (Neb. Rev. Stat. §82-107). Please contact their office by calling (402) 471-4783.
4. Complete a Records Disposition Report for the records you dispose. The Records Disposition Report form is located on the Secretary of State Records Management website. https://appengine.egov.com/apps/ne/sos_records_disposition_report. This report establishes that the destruction was performed in your normal course of business.

NON-SCHEDULED RECORDS

Contact a Records Management Specialist in Records Management to see whether the records will fit under an item already on the schedule. If they do not, they must be retained until they are added to the next revision of your schedule.

SCHEDULE UPDATE

It is the responsibility of each agency to periodically update their schedule. A Records Management Specialist in Records Management can assist you with the schedule update, which may involve adding new records series and making revisions to existing items. Keeping your schedule current will ensure you have the ongoing authority to discard records when their useful life has ended.

QUESTIONS

If you have any questions about these procedures, please contact your agency Records Officer or the Records Management Specialist in Records Management. They will help you with any questions the schedule may present, including: transferring records to the State Records Center or microfilming records, scanning records, etc.

**Records Management Division
3242 Salt Creek Circle
Lincoln, NE 68504
402-471-2559**

**SCHEDULE 72-7
BANKING AND FINANCE
MONEY TRANSMITTERS (INCLUDING FORMER CHECKS SALES AND FUNDS TRANSMISSION ACT)
June 23, 2023**

Retention requirements are for all records, regardless of the media on which they reside, unless otherwise noted.

NEW

ITEM NUMBER	RECORD TITLE	DESCRIPTION/EXAMPLES	RETENTION	REFERENCE/COMMENTS
72-7-1	MONEY TRANSMITTERS (INCLUDING FORMER CHECK SALES AND FUNDS TRANSMISSION ACT) - APPLICATION/LICENSE FILES	Files contain application, copy of registration/license, financial statements, correspondence, background searches, copies of bonds, organizational documents, renewal applications and licenses, and list of agent locations.	CORRESPONDENCE AND PAST RENEWAL APPLICATIONS: Transfer to SRC as needed; 10 years after withdrawal, denial or cancellation. ALL OTHER RECORDS: Transfer to SRC as needed; 10 years after withdrawal, denial or cancellation	Records formerly housed under 72-1-2 Banking and Finance, Banking and Financial Institutions. Applications and renewals are processed through the Nationwide Mortgage Licensing System & Registry ("NMLS") per Neb. Rev. Stat. § 8-2730.
72-7-2	CORRESPONDENCE FILES	General correspondence not resulting in or related to an application or license.	Transfer to SRC as needed; 10 years.	
72-7-3	CUSTOMER COMPLAINTS	Complaint forms, customer inquiries, correspondence relating to persons subject to the Money Transmitters Act.	Transfer to SRC as needed; 20 years	
72-7-4	EXAMINATIONS	Files contain Reports of Examination conducted as of the close of business during the calendar year indicated. Reports and data regarding applicants/licensees; documents and raw data gathered or created by field examiners during the process of examination.	Transfer to SRC as needed. 10 years.	
72-7-5	EXAMINER WORK PAPERS	Files contain original documentation and raw data gathered by field examiners during the process of examination. Such documentation includes individual loan analyses, daily statements, balance sheets and general ledger figures.	Dispose of after completion of next examination if no Department related investigation is unresolved; 10 years.	
72-7-6	HEARING FILES WITH TRANSCRIPTS	Application hearing files may include Notice of Publication, Proof of Publication, protests to granting of application, hearing transcripts and exhibits. Disciplinary hearing files may include orders to show cause, subpoenas, motions, witness information.	Transfer to SRC as needed; 20 years, subject to review by the State Archives for possible accession. Return to Department prior to transfer to State Archives. Department to purge or redact confidential information.	Contact State Archives to negotiate transfer following Department review to purge or redact confidential information.

ITEM NUMBER	RECORD TITLE	DESCRIPTION/EXAMPLES	RETENTION	REFERENCE/COMMENTS
72-7-7	INVESTIGATIONS	Files created during investigations into the methods or practices of a financial institution or individual. Files may contain work papers, correspondence, evidentiary material, affidavits, details of hearing arrangements, hearing transcripts and exhibits, subpoenas and copies of any Department Order issued.	Transfer to SRC 1 year after investigation and/or legal action completed; 20 years	
72-7-8	LICENSE RENEWAL FILES	Information relating to annual renewal of licenses, including annual renewal checklists and correspondence.	Transfer to SRC as needed; 10 years after withdrawal, denial or cancellation.	Records formerly housed under 72-1-3 Banking and Finance, Banking and Financial Institutions.
72-7-9	MONEY TRANSMITTERS (INCLUDING FORMER CHECK SALES AND FUNDS TRANSMISSION ACT) - CHECK SELLER LICENSE REGISTER	Register contains licenses issued, filed in license number order.	Permanent.	
72-7-10	MONEY TRANSMITTERS DATABASE	Refer to Schedule 72-1-12.	Refer to Schedule 72-1-12.	
72-7-11	MONEY TRANSMITTERS EXAMINATION DATABASE	Refer to Schedule 72-1-13.	Refer to Schedule 72-1-13.	