

# **Schedule 102**

# **DEPARTMENT OF REVENUE**

**April 21, 2022**

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

<b>REQUEST FOR APPROVAL OF RECORDS RETENTION AND DISPOSITION SCHEDULE</b>	SCHEDULE <b>102</b>
	AGENCY, BOARD OR COMMISSION <b>DEPARTMENT OF REVENUE</b>
<b>TO: STATE RECORDS ADMINISTRATOR STATE OF NEBRASKA</b>	DIVISION, BUREAU OR OTHER UNIT
	Supersedes Edition of April 3, 2018

**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 <i>Tony Fulton</i>	
TITLE <i>Tax Commissioner</i>	DATE <i>03/23/22</i>

**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 <i>Anna King</i>	
DATE <i>4/5/22</i>	

**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 <i>Pat Reddy</i>	
DATE <i>4/19/22</i>	

**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 <i>Monica</i>	
DATE <i>4/21/2022</i>	

## **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.
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](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  
440 South 8th Street, Suite 210  
Lincoln, NE 68508-2294  
402-471-2559**

## **Records Retention Schedule**

### **Policy Statement**

A comprehensive Records Retention Schedule is established for all records received or created by the Nebraska Department of Revenue (DOR). The comprehensive schedule is divided into sections of Magnetic and Electronic Media ([Attachment I](#)) and Paper Documents ([Attachment II](#)) which include general records or correspondence. The records in each section will be categorized with a retention/disposition time frame for each category. Any record on any media deemed permanent must be backed up on paper or microfilm. For purposes of this policy and the supporting retention schedules, the images kept in the Enterprise Content Management system are considered the record. The paper is considered a backup copy.

DOR's Records Officer (Manager, Revenue Operations) is responsible for the annual review and update of the retention schedule and for the supervision of the program.

### **Procedures**

DOR's Records Officer or his/her designees directly supervise the destruction of records. All destruction follows the rules and regulations of the State Records Administrator and is accomplished by incineration, shredding, or any other method which renders the records unreadable.

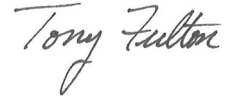
Internal Revenue Service (IRS) Information. Records are maintained of all information received from the IRS that has been destroyed by DOR. The record of destruction, which is signed by the Records Officer or authorized designee indicates the type of information that has been destroyed. A copy of the destruction record for this information is maintained by the appropriate division (Operations and Information Technology) depending upon the type of information. A record of the destruction is included in DOR's Annual Safeguard Security Report to the IRS.

Below is the [Nebraska Secretary of State's Record Management for Records Retention and Disposition Schedules](#):

- [Nebraska Lottery - 102-1](#)
- [Property Assessment - 146](#)
- [Department of Revenue - 102](#)

The Records Officer or authorized designee completes the appropriate Records Disposition Report and forwards to the State Records Administrator. A copy is placed in a permanent file in Special Services.

APPROVED:



Tony Fulton  
Tax Commissioner

Signed this 21<sup>st</sup> day of March, 2022.

[Attachment I - Magnetic and Electronic Media Retention Schedule](#)

[Attachment II - Paper Documents Retention Schedule](#)

## **Magnetic and Electronic Media Retention Schedule**

### **Category 1**

**Magnetic and Electronic Media Containing Information from Taxpayer Filed Returns and Supporting Documents** shall not be destroyed.

**A Copy of Annual Tax Program Transaction History Information** shall not be destroyed.

**Electronic (Scanned) Images of Filed Tax Returns and Supporting Documents** shall not be destroyed.

### **Category 2**

**Magnetic and Electronic Media Containing Audit Files** are destroyed after the **tenth year** following the original creation date, unless the audit is under protest.

### **Category 3**

**Magnetic and Electronic Media Received from the Internal Revenue Service Including Magnetic and Electronic Media Backup Copies:**

- **Individual Master Files and Individual Returns Transaction Master Files** (IMF and IRTF) are destroyed after the **sixth year** following the original creation date.
- **Business Master Files and Business Returns Transaction Master Files** (BMF and BRTF) are destroyed after the **sixth year** following the original creation date.
- **Exams-Appeals Files** are destroyed after the **second year** following the original creation date.
- **CP2000 Files** are destroyed after **six months** following the original creation date.
- **1099-G IRS Nonitemizer Files** are destroyed after the **first year** following the original creation date.

- **Information Returns Master Files (IRMF)** are destroyed after the **sixth year** following the original creation date.
- **1099-MISC Files** are destroyed after the **sixth year** following the original creation date.

## Category 4

**Magnetic and Electronic Media Containing Divisional Files** not included in any of the above categories will be destroyed after the **second year** of their use or need.

## Category 5

**Communications/Correspondence Regardless of Physical Form or Characteristics Including Written and Electronic, and not Including Voice Mail or Similar Data Transmissions Which are not Conversational in Nature.**

**Communications, Non-Record** - Communications not related to state government transactions or activities are disposed of **at will**.

**Communications, Short Term** - Communications that may be of professional interest, but not pertaining directly to the function of the agency, i.e., the equivalent of a casual phone call. Dispose of at the sender's/recipient's discretion.

**Communications, Medium Term** - Communications containing information related to the operations of the agency, but does not have long-term significance or policy implications are destroyed after **two years**.

**Communications, Long Term** - Communications containing information related to the mission of the agency, i.e., documents major transactions, establishes or implements policy, establishes legal rights or responsibilities, is project related, or has other long-term ramifications to the operation of the agency are destroyed after **eight years**.

## Category 6

**Magnetic and Electronic Media Containing Historical Material Pertaining to DOR, and any Other Media Deemed by the Tax Commissioner as Being of Permanent Value** will never be destroyed. Material that is not considered confidential and is of a historical nature may be considered for transfer to the Nebraska State Archives upon the approval of the Tax Commissioner.

The Tax Commissioner or Records Officer has the authority to identify any single magnetic and electronic media or series of magnetic and electronic media for retention for an extended time period.

## Paper Documents Retention Schedule

Destruction of any document under this schedule, is contingent upon the documents first being scanned and deposited into the Enterprise Content Management System.

### Category 1

**Original Taxpayer Filed Returns, Applications other than for Incentive programs, Correspondence and Supporting Documents, Documentation Concerning Pickle Cards, County/City Lottery Audit Report, and Manufacturer Reports** are destroyed after the **second year** following processing. Liens are destroyed two years following filing.

### Category 2

**Internally Produced Documents Affecting the Status of or Authorizing a Transaction to any Taxpayer Account** are destroyed after the **second year** following processing.

### Category 3

**Internally Produced Documents of an Informal Nature Pertaining to Taxpayer Accounts, If Not Physically Attached to Those Documents in Categories 1 or 2,** are destroyed when the information in the document becomes obsolete by subsequent updating or summary.

### Category 4

**Audit and Docket Files** are destroyed after the **second year** following the close of the audit or protest whichever is later, excluding Incentives audits.

### Category 5

**Bonds** are destroyed after the **second year** following processing or cancellation.

### Category 6

**Documents Received from the Internal Revenue Service** are destroyed no later than **one year** after use or need.



## Category 7

**Closed Bankruptcy, Mortgage Foreclosure, State Claims Board, Revocation Case Files, and Divisional Files** not included in any of the above categories will be destroyed after the **second year** of their use or need.

## Category 8

**Files Containing Historical Material Pertaining to DOR, and any Other Documents Deemed by the Tax Commissioner as Being of Permanent Value** are **never** destroyed. Material that is not considered confidential and is of a historical nature may be considered for transfer to the Nebraska State Archives upon the approval of the Tax Commissioner.

## Category 9

### **Paper Record Retention for Incentive documents:**

Applications, Agreements, Request to change project definition, Transfer request: Retain for life of the project.

LB 775: 21 years.

LB 312: 15 years for other than Tier 6. Tier 6 - 30 years.

Audits: Retain for length of entitlement period.

LB 775: 7 years.

LB 312: 7 years for other than Tier 6. Tier 6: 10 years.

Claims for benefits: Form 7-1, returns, withholding.

LB 775: Retain 7 years.

LB 312: Retain 7 years for other than Tier 6. Tier 6: 10 years.

Annual report: Retain for 7 years to cover LAO audit cycle.

Other (872N, Power of Attorney, miscellaneous): Retain for 7 years.

The Tax Commissioner or Records Officer has the authority to identify any single record or series of records for retention for an extended time period.