

Schedule 72-1

BANKING AND FINANCE

BANKS AND FINANCIAL INSTITUTIONS

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

72-1

AGENCY, BOARD OR COMMISSION

BANKING AND FINANCE

DIVISION, BUREAU OR OTHER UNIT

BANKS AND FINANCIAL INSTITUTIONS

Supersedes Edition of October 31, 2014

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

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 Lammers

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. Evnen

Robert B. Evnen (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 72-1
BANKING AND FINANCE
BANKS AND FINANCIAL INSTITUTIONS
June 23, 2023

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

SUPERSEDES EDITION OF October 31, 2014

ITEM NUMBER	RECORD TITLE	DESCRIPTION/EXAMPLES	RETENTION	REFERENCE/COMMENTS
72-1-1	BANK/TRUST COMPANIES BANK HOLDING COMPANY FILES	Files contain application for registration as a bank holding company, copy of registration, correspondence, change in control forms, correspondence, and Federal Reserve Board Reports of Examination.	CORRESPONDENCE AND EXAMS: Bundle into multi-year files and transfer to State Records Center (SRC) as needed; 10 years ALL OTHER RECORDS: Transfer to SRC 1 year after rendered inactive; 10 years after institution closes or all litigation has ended (whichever is later)	
72-1-2	BANK/TRUST COMPANIES CHECK SALES AND FUNDS TRANSMISSION	Files contain initial application, copy of registration/license, financial statements, correspondence, copies of bonds, renewal applications and licenses and list of agent locations, filed in alphabetical order.	CORRESPONDENCE AND PAST RENEWAL APPLICATIONS: Transfer to SRC as needed; 10 years ALL OTHER RECORDS: Transfer to SRC 1 year after cancellation; 10 years	
72-1-3	BANK/TRUST COMPANIES CHECK SELLER LICENSE REGISTER	Register contains licenses issued, filed in license number order.	Permanent	
72-1-4	BANK/TRUST COMPANIES CLOSING DOCUMENTATION/ LIQUIDATION FILES	Files contain closing orders, legal documents, court filings, FDIC and state correspondence, press releases, door notices, Declarations of Emergency, telegrams to correspondents, bid information, sale information, etc.	Transfer to SRC 1 year after institution closes or after litigation completed (whichever is later); 25 years after institution closes or when no longer of administrative value as determined by the Director (whichever is later), subject to approval of court (if necessary) and review by State Archives for possible accession	Contact State Archives to negotiate transfer

ITEM NUMBER	RECORD TITLE	DESCRIPTION/EXAMPLES	RETENTION	REFERENCE/COMMENTS
72-1-5	BANK/TRUST COMPANIES CORPORATE FILES	Files include charters, bonds and riders, Articles of Incorporation and any amendments, bylaws and any amendments, Certificates of Increase of Paid -In Capital Stock, Applications for Approval of Directors and any resignations from the Board, and any administrative orders.	CHARTER AND ORIGINAL ARTICLES OF INCORPORATION: Permanent ALL OTHER RECORDS: Transfer to SRC 1 year after institution is closed (<i>bond material and Approval of Director, when accompanied with notice of resignation, may be transferred separately to SRC as needed</i>); 10 years after closing, provided all litigation has been completed	
72-1-6	BANK/TRUST COMPANIES CORRESPONDENCE/ EXAMINATION FILES	Files include correspondence and Bank related e-mail for the calendar year indicated, Reports of Examination and visitations conducted as of the close of business during the calendar year indicated, and directors' examinations performed as of the close of business during the calendar year.	CORRESPONDENCE FILE: Transfer to SRC after 1 year; 10 years EXAMINATIONS: Transfer to SRC as needed to be placed in the correspondence file that matches the examination date; 10 years after examination date	Maintain within Department - two most recent state and federal examinations
72-1-7	BANK/TRUST COMPANIES EXAMINER WORK PAPERS	Files contain original documentation and raw data gathered by field examiners during the process of examination. Such documentation includes paper and electronic individual loan analyses, daily statements, balance sheets, and general ledger figures.	After completion of next examination, if no Department related investigation is unresolved	
72-1-8	BANK/TRUST COMPANIES EXECUTIVE OFFICER LICENSE FILES	Files are maintained on the executive officers of the various institutions and include applications, financial statements, reference letters, criminal history reports, officer related inquiries, credit inquiries and photocopies of licenses issued.	Maintain in the Department and transfer licenses matched with notice of surrender to SRC as needed; 25 years after employee leaves (not when institution closes)	
72-1-9	BANK/TRUST COMPANIES PLEDGED SECURITIES FILES	Files contain department receipts and correspondence for trust departments of commercial banks, national banks and federal savings banks, free-standing trust companies and other entities which may pledge in lieu of bonds.	Transfer to SRC 1 year after institution closes; 10 years	
72-1-10	FINANCIAL INSTITUTION - CALL REPORTS	Reports of Trust Assets from NE, trust companies, Consolidated Report of Condition and Consolidated Report of Earnings Building and Loan associations.	10 years	
72-1-11	FINANCIAL INSTITUTION - CUSTOMER COMPLAINTS	Complaint forms, customer inquiries and correspondence concerning individuals or entities regulated by agency.	Transfer to SRC 1 year after file closed; 20 years	

ITEM NUMBER	RECORD TITLE	DESCRIPTION/EXAMPLES	RETENTION	REFERENCE/COMMENTS
72-1-12	FINANCIAL INSTITUTION DATABASE	Electronic database that includes names and addresses, data reflecting the existence of blanket bonds, executive officer licenses, directors, pledged securities and audits. Various listings and reports are generated.	NAME, ADDRESS, FINAL BOARD AND INSTITUTION DISPOSITION RECORDS: Permanent OTHER ELECTRONIC RECORDS: 10 years after institution closes COMPUTER PRINTOUTS: Superseded or obsolete	
72-1-13	FINANCIAL INSTITUTION - EXAMINATION DATABASE	Data referencing the existence of examinations, examination billings, and examiner data entry including timesheets, and various listing and reports that are generated.	EXAMINATION AND BILLING RECORDS: After institution closes OTHER ELECTRONIC RECORDS: 10 years after institution closes COMPUTER PRINTOUTS: Superseded or obsolete	
72-1-14	FINANCIAL INSTITUTION - HEARING TRANSCRIPTS AND EXHIBITS	Files created for financial institution applications requiring hearings and/ or review and approval or denial by agency. Files may include application and supporting documentation, receipts for fees, hearing arrangements and publication notices, correspondence, hearing transcripts and exhibits, and the Order of Approval or Denial.	Transfer to SRC after 5 years; 20 years, subject to review by the State Archives for possible accession	Contact State Archives to negotiate transfer
72-1-15	FINANCIAL INSTITUTION - INVESTIGATION FILES	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 3 years after investigation completed, final order issued or court action completed (whichever is later); dispose of 20 years after investigation has been completed	Neb. Rev. Stat. §8-1, 134
72-1-16	FINANCIAL INSTITUTION - IT EXAMINATIONS	Examination of Bank operations.	After completion of next examination, if no Department related investigation is unresolved	
72-1-17	FINANCIAL INSTITUTION - RULES HEARING FILES	Files created for hearings to promulgate new or amend existing agency rules. Files may include draft rules, supporting documentation, hearing arrangements, publication notices, correspondence, hearing transcripts and exhibits, and rules as finalized.	Permanent	

ITEM NUMBER	RECORD TITLE	DESCRIPTION/EXAMPLES	RETENTION	REFERENCE/COMMENTS
72-1-18	FINANCIAL INSTITUTION - SUSPICIOUS ACTIVITY REPORTS (SARS)	Reports containing allegations of violations of state and federal law which are submitted to Financial Crimes Enforcement Network (FINCEN) by institutions and others.	When no longer required for investigation. Shred record by hand per FINCEN contract.	•Highly confidential record Access to reports very limited Files are to remain on Department premises
72-1-19	FINANCIAL INSTITUTION - VIOLATIONS REVIEW FILES	Files contain photocopies of violations pages from state or federal reports of examination, correspondence and other investigatory materials relating to correcting cited violations.	Transfer to SRC after 1 year; 10 years	