Mississippi Department of Finance & Administration
Public Records Policy Amendment
Electronic Documents Policy

(In compliance with the MS Public Records Act of 1983, Mississippi Code Section 25-61-1)

Scope. This rule is an amendment to DFA's Public Records Policy. Therefore, all requests for electronic information are subject to all fees, guidelines, and timelines set forth in the approved public records policy. The public records policy may be viewed at: http://www.dfa.state.ms.us/Content/publicinfopolicy.pdf.

Per Miss. Code Ann. § 25-61-1 et seq. certain electronic documents, including e-mail are legally discoverable and accessible under the Mississippi Public Records Law. It is the policy of the Mississippi Department of Finance & Administration to fully comply with any records request made under this section and in accordance with this policy as approved.

Email Retention Guidelines. The following guidelines concerning e-mail sent and received to a DFA agency account shall apply:

1) E-mail remaining in the mailbox, including the cabinet and calendar will be automatically moved to the Trash folder after 90 days;
2) All e-mail, including deleted items, will be kept on an e-mail backup server for 90 days and will be available for retrieval during the retention period;
3) All e-mail sent and received to/from an agency account from any computer or handheld device may be subject to open records and legal review.
4) E-mail subject to any state or federal record retention laws or Archives and History record retention schedules shall be identified as such and stored appropriately.
5) E-mails containing information exempt by the Public Records Act will not be released.

Fees. §25-61-7 allows for DFA to assess fees reasonably related to the cost of creating, acquiring and maintaining the geographic information system, multipurpose cadastre or other electronically accessible data, for the data or information contained therein or taken therefrom and for any records, papers, accounts, maps, photographs, films, cards, tapes, recordings or other materials, data or information relating thereto, whether in printed, digital or other format. In determining the fees or charges under this subsection, the public body may consider the type of information requested, the purpose or purposes for which the information has been requested and the commercial value of the information.