



Department of Alcoholic Beverage Control

Records Retention Schedule

Prepared by the State Records Branch
Archives and Records Management Division
Approved by the State Libraries, Archives, and Records Commission



Kentucky Department for Libraries and Archives

This records retention schedule governs retention and disposal of records created, used and maintained by the Department of Alcoholic Beverage Control. **Government records in Kentucky can only be disposed of with the approval of the State Libraries, Archives, and Records Commission (the Commission).** If records do not appear on a **Commission-approved records retention schedule, agencies should not destroy those records.** This agency-specific schedule was drafted by Department of Alcoholic Beverage Control personnel and Archives and Records Management Division staff, and reviewed and approved by the Commission. This schedule provides the legal authority for the Department of Alcoholic Beverage Control to destroy the records listed, after the appropriate retention periods have passed.

Department of Alcoholic Beverage Control personnel should use this agency-specific schedule in combination with the *General Schedule for State Agencies (General Schedule)*, also approved by the Commission. The *General Schedule* applies to records that are created, used and maintained by staff at all or most state agencies. Agency-specific retention schedules are used only by specific agencies and apply to records that are created only by a particular state agency, or to records that a state agency is required to retain longer than the approved time period on the *General Schedule*. The *General Schedule* and agency-specific retention schedule should cover all records for the Department of Alcoholic Beverage Control.

This retention schedule applies to state agency records and information regardless of how it is created or stored. For example, information created and sent using e-mail is as much a public record as materials created or maintained in paper. Kentucky law defines public records, in part, as "documentary materials, *regardless of physical form or characteristics*, which are prepared, owned, used, in the possession of or retained by a public agency" (KRS 171.410[1]). This means that records management standards and principles apply to all forms of recorded information, from creation to final disposition, regardless of the medium. Records retention scheduling is important in developing, using, and managing computer systems and other electronic devices. Records management practices encourage cost-effective use of electronic media through accurate retention scheduling and legal destruction of records.

All state government employees are responsible for maintaining records according to the retention schedule, whether those records are stored electronically or in paper. Information must be accessible to the appropriate parties until all legal, fiscal, and administrative retention periods are met, regardless of the records storage medium.

This retention schedule covers the content of records created by the Department of Alcoholic Beverage Control, including records created or stored using computers and computer systems. The *General Schedule for Electronic and Related Records* applies to records related to computers or a computer system. Examples of these include system documentation and use records, backup files, or website format and control records.

Audits and Legal Action

Agency records may be subject to fiscal, compliance or procedural audit. If an agency should maintain records longer than the approved retention period, as may be the case with some federal audits, then all affected records should be retained until the audit has been completed and the retention period met. In no case should records that are subject to audit be destroyed until the audit has been completed and retention periods met, or the records have been officially exempt from any audit requirements.

Records may also be involved in legal or investigative actions, such as lawsuits, administrative hearings or open records matters. These records must be retained at least until all legal or investigative matters have concluded, regardless of retention period. This includes all appeals of lawsuits.

Vital Records

Vital records are essential to the continued functioning of an agency during and after an emergency. Vital records are also essential to the protection of the rights and interests of an agency and of the individuals for whose rights and interests it has a responsibility. Vital records are identified in the retention schedule with a (V).

Confidential Records

While all records created, used and maintained by government agency personnel are public records, not all of those records are open to public inspection. Whether a record is open to public inspection is determined by the state's Open Records laws and other relevant state or federal statutes and regulations. Restriction of public inspection of confidential records may apply to the whole record or only to certain information contained in the record.

Kentucky's public records are considered open for public inspection unless there is some specific law or regulation that exempts them. Agency personnel who believe certain records are confidential should submit a citation from Kentucky Revised Statutes, Administrative Regulations, Code of Federal Regulations, or similar authority. **State agency heads have the responsibility to know all the appropriate confidentiality laws, statutes and regulations that apply to the records maintained by their agency and to see that those laws are enforced.** Even though a record series may or may not be marked confidential on a retention schedule, contradictory laws or regulations that are passed after the schedule has been approved must be honored.

Copies of Records

Agency personnel often make copies of records for internal use or reference purposes. Agencies should designate one copy as the official copy and make sure it is retained according to the records retention schedule. Agencies can destroy all other copies when no longer useful.

Updating the Retention Schedule

Per 725 KAR 1:010, the head of each state government agency is required to designate a member of his or her staff to serve as a records officer. The agency records officer represent that agency in its records-related work with the Archives and Records Management Division. The agency records officer is responsible for assisting the Archives and Records Management Division in drafting a records retention schedule, and in finding any schedule updates to bring before the Commission. The retention schedule should be reviewed on a regular basis to suggest appropriate changes to the Commission.

Department of Alcoholic Beverage Control

The Department of Alcoholic Beverage Control (ABC) is currently under the Public Protection Cabinet (2008). The Department's mission is to protect the public welfare and interest through regulation of the alcoholic beverage industry by maintaining a controlled distribution system through licensing, education and enforcement of the pertinent laws pursuant to KRS Chapters 241 through 245 and regulations. ABC has undertaken a special focus to combat youth access to alcohol and tobacco products. The Department is under the direction of a Commissioner, who is also serves as the chair of the Alcoholic Beverage Control Board.

RECORDS RETENTION SCHEDULE

Signature Page

Department of Alcoholic Beverage Control

Agency

Unit

June 11, 2015

Schedule Date

December 13, 2018

Change Date

December 13, 2018

Date Approved By Commission

APPROVALS

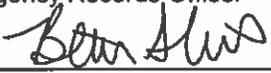
The undersigned approve of the following Records Retention Schedule or Change:


Agency Head

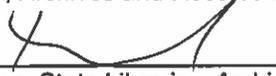
10/23/18
Date of Approval


Agency Records Officer

10/23/2018
Date of Approval


State Archivist and Records Administrator
Director, Archives and Records Management Division

12/13/18
Date of Approval

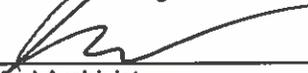

Chairman, State Libraries, Archives, and
Records Commission

DEC 14 2018
Date of Approval

The undersigned Archives and Records Management Division staff have examined the record items and recommend the disposition as shown:


Records Analyst/Regional Administrator

11-19-18
Date of Approval


Appraisal Archivist

12/14/18
Date of Approval


State/Local Records Branch Manager

12-14-18
Date of Approval

The determination as set forth meets with my approval.


Auditor of Public Accounts

12/13/2018
Date of Approval

STATE LIBRARIES, ARCHIVES, AND RECORDS COMMISSION

Archives and Records Management Division

Kentucky Department for Libraries and Archives

**STATE AGENCY RECORDS
RETENTION SCHEDULE**

Public Protection
Alcoholic Beverage Control
Accounts and Personnel

**Record Group
Number
0120**

Series	Records Title and Description	Function and Use
01040	Alcoholic Beverage Refunds Records	This series documents the refund records to licensees or clients who have made an overpayment, discontinued with Alcoholic Beverage Control services/products, denied an application, or withdrawn an application. Per KRS 243.460, refund payments are made if at the expiration of thirty (30) days no appeal has been made by the applicant.
	Access Restrictions	Agencies should consult legal counsel regarding open records matters.
	Contents	Series may contain: Mailing address; premises address and site number; amount of refund; Check Routing number of previous deposit; payment number and reason for refund.
	Retention and Disposition	Retain in Agency eight (8) years; destroy after audit.

STATE LIBRARIES, ARCHIVES, AND RECORDS COMMISSION

Archives and Records Management Division

Kentucky Department for Libraries and Archives

**STATE AGENCY RECORDS
RETENTION SCHEDULE**

Public Protection
Alcoholic Beverage Control
Alcoholic Beverage Licensing

**Record Group
Number
0120**

Series	Records Title and Description	Function and Use
01052	Alcoholic Beverage Control License Files (V)	This series documents the licensing requirements and license renewals to manufacture, store, sell, purchase, transport or traffic in alcoholic beverages, as required in KRS 243.030 and KRS 243.040. The series contains the licensing of retailers, package stores, wholesalers, distillers, vintners, rectifiers, bonded warehouses, solicitors transporters, and temporary licenses. The file is inclusive of all activity associated with the revocation of a license, investigation of all activity associated with the revocation of a license, investigation of violations, non-renewal of licenses, voluntary surrender of licenses, and any other action which might impact the status of a license. All licenses must be renewed annually. If a license is revoked, the licensee has thirty (30) days in which to appeal the decision of the Board. KRS 243.030 and KRS 243.040 establish the fees for the different license types.
	Access Restrictions	Agencies should consult legal counsel regarding open records matters.
	Contents	Series may contain: the initial application, annual renewal information, affidavits, instructions for using license, copies of lease agreements or deed, citations, hearing information, hearing dispositions, diagram of location, list of corporate officers, changes in officers, bonds, copies of official orders, depositions, current territorial designation agreements.
	Retention and Disposition	Retain in Agency for two (2) years after license becomes inactive, then destroy.
01053	Distilled Spirits Quota Card File	This series documents the information re license for retail drink, package stores and wholesalers in a given geographical area, i.e., city or town, and quotas are determined by the population of a particular area pursuant to 804 KAR 9.010 and 804 KAR 9.020. These licenses have a monetary value and can be sold; however, the new owner must meet all the licensing requirements before alcohol can be sold or trafficked in.
	Access Restrictions	Agencies should consult legal counsel regarding open records matters.
	Contents	Series may contain: license number; name and address of licensee; name of premises; initial issue date and subsequent renewal dates; total number of licenses which may be issued and the number which have been issued
	Retention and Disposition	Retain in Agency. Destroy when the respective license application file (Series 1052) is destroyed which is two (2) years after license becomes inactive.
05875	Malt Beverage Brewer Brand Approval & Distributor Territorial Designation Agreement File	This series documents the territorial designation agreements between brewers, suppliers and Kentucky distributors and filed with Alcoholic Beverage Control for specific brands per the requirements of KRS 244.585.
	Access Restrictions	Agencies should consult legal counsel regarding open records matters.
	Contents	Series may contain: Brewer name, address, telephone and fax numbers, contact person, title, email address; supplier information, company name, address, telephone and fax numbers, contact person, title, license number, email address; brand information; territory information; signatures; brewer, title, date; importer or master supplier, title, date; Kentucky beer distributor, title, date, person signing; distributor being replaced, title, date, Kentucky ABC license number.
	Retention and Disposition	Retain most recent agreement in Agency for two (2) years after brewer or supplier license becomes inactive, then destroy.

STATE LIBRARIES, ARCHIVES, AND RECORDS COMMISSION

Archives and Records Management Division

Kentucky Department for Libraries and Archives

STATE AGENCY RECORDS
RETENTION SCHEDULE

Public Protection
Alcoholic Beverage Control
Alcoholic Beverage Licensing

Record Group
Number
0120

Series	Records Title and Description	Function and Use
06814	Denied/Revoked Alcoholic Beverage License File	This series documents license application files that have been denied a license or have had an active license revoked by the Distilled Spirits Administrator and/or Malt Beverage Administrator.
	Access Restrictions	KRS 61.878(1)(a) - Personal information. Agencies should consult legal counsel regarding open records matters.
	Contents	Series may contain: License Application, Affidavit of Publication, Lease/Deed, Secretary of State information, Field Report/Final Inspection, Criminal Background Checks, Renewal Notices, Supplemental Application Documents
	Retention and Disposition	Retain in Agency five (5) years after date of denial, then destroy.
06815	Incomplete/Withdrawn Alcoholic Beverage License File	This series documents license application files that have been withdrawn by the applicant or are determined to be incomplete.
	Access Restrictions	KRS 61.878(1)(a) - Personal information. Agencies should consult legal counsel regarding open records matters.
	Contents	Series may contain: License Application, Affidavit of Publication, Lease/Deed, Secretary of State information, Field Report/Final Inspection, Criminal Background Checks, Supplemental Application Documents
	Retention and Disposition	Retain in Agency two (2) years after date of withdrawal/incomplete determination, then destroy.

STATE LIBRARIES, ARCHIVES, AND RECORDS COMMISSION

Archives and Records Management Division

Kentucky Department for Libraries and Archives

**STATE AGENCY RECORDS
RETENTION SCHEDULE**

Public Protection
Alcoholic Beverage Control
Commissioner's Office

**Record Group
Number
0120**

Series	Records Title and Description	Function and Use
01031	Alcoholic Beverage Control Board Final Order Books	This series documents the Final Orders and Opinions issued by the Alcoholic Beverage Control Board regarding cases concerning alcohol and tobacco violations pursuant to KRS 241.060 (3) and (4), KRS 241.150, 241.200, and KRS 241.260.
	Access Restrictions	Agencies should consult legal counsel regarding open records matters.
	Contents	Series may contain: Show Cause Orders, Final Orders, Amended Final Orders, Orders of Destruction of Contraband, Reschedule Orders.
	Retention and Disposition	Retain permanently in Agency.
01037	Appealed Case Files	This series documents the copy of proceedings for each legal case presented in the jurisdiction of the Circuit Court, Court of Appeals or a Federal Court on an appeal from the Alcoholic Beverage Control Board.
	Access Restrictions	Agencies should consult legal counsel regarding open records matters.
	Contents	Series may contain: written transcripts of legal cases; other legal documents of court cases presented
	Retention and Disposition	Retain in Agency ten (10) years; destroy.

STATE LIBRARIES, ARCHIVES, AND RECORDS COMMISSION

Archives and Records Management Division

Kentucky Department for Libraries and Archives

**STATE AGENCY RECORDS
RETENTION SCHEDULE**

Public Protection
Alcoholic Beverage Control
Education

**Record Group
Number
0120**

Series	Records Title and Description	Function and Use
05526	Server Training in Alcohol Regulations Training Class (V)	This series documents the Server Training in Alcohol Regulations (S.T.A.R.) classes was designed to assist the servers and sellers of alcoholic beverages to obey the statutes and regulations pertaining to alcoholic beverages and be responsible servers. On completion of the class, the attendee is issued a certification. In addition, KRS 243.480 (2) allows the ABC Board to order training in lieu of suspension due to violations of Chapters 241 through 244 of the Kentucky Revised Statutes.
	Access Restrictions	Agencies should consult legal counsel regarding open records matters.
	Contents	Series may contain: S.T.A.R. class date and time, location of the class, original sign-in sheet, individual's test scores, and registration forms.
	Retention and Disposition	Retain in Agency four (4) years from date STAR Training class was completed; then destroy.
05869	Server Training in Alcohol Regulations (STAR) Instructor Files	This series documents the history of a contract instructor for the Server Training in Alcohol Regulations (STAR) Training Program. STAR is an Alcoholic Beverage Control specific training for the licensees, administrators, servers and sellers of alcoholic beverages by providing them with current information on responsible selling, liability and altered identifications.
	Access Restrictions	Agencies should consult legal counsel regarding open records matters.
	Contents	Series may contain: Copies of the STAR Instructor Responsibilities Information Sheet, Instructor Supplies Information Sheets, copy of Personal Service Contract, equipment loan sign out, correspondence, fee and invoice information, and evaluations
	Retention and Disposition	Retain in Agency one (1) year after date of termination of the contact with the instructor; then destroy.

STATE LIBRARIES, ARCHIVES, AND RECORDS COMMISSION

Archives and Records Management Division

Kentucky Department for Libraries and Archives

**STATE AGENCY RECORDS
RETENTION SCHEDULE**

Public Protection
Alcoholic Beverage Control
Enforcement

**Record Group
Number
0120**

Series	Records Title and Description	Function and Use
01063	Alcoholic Beverage Control Enforcement Case Files	This series documents investigative reports including a detailed explanation of the circumstances surrounding an alleged violation(s) of KRS Chapters 241 through KRS 244 and KRS 438.300 - KRS 438.350 had occurred.
	Access Restrictions	KRS 61.878 (1) (h) during investigation; KRS 61.878 (1)(l) attorney/client privilege, work product. Agencies should consult legal counsel regarding open records matters.
	Contents	Series may contain: case number, complaint number, name of person, name of business, ABC license number, mailing address, exact location, county name, date and time of violation, date and time of investigation, person in charge of business, arrest information, offense, ABC investigator name and badge number, date of report, review sign off, work product
	Retention and Disposition	Retain in Agency for eight (8) years after case closure, then destroy.
01064	Agent's Daily Report	This series documents the daily activity report of an Alcoholic Beverage Control enforcement agent that is completed, signed, and submitted to the Frankfort office as official documentation of the work performed on a specific day.
	Access Restrictions	Agencies should consult legal counsel regarding open records matters.
	Contents	Series may contain: Time to and from, number of hours and miles to each vicinity and destination worked, information regarding the findings of the visit, documentation of activity, investigator signature, date
	Retention and Disposition	Retain in Agency for two (2) years after completion date, then destroy.
01065	Field Reports	This series identifies records of an on-site interview of an alcoholic beverage licensing applicant pursuant to provisions of KRS Chapters 242 through 244 and are conducted by an Alcoholic Beverage Control Enforcement Agent. A detailed drawing (interior/exterior) of the building is also included.
	Access Restrictions	KRS 61.878 (1)(a) - Personal information. Agencies should consult legal counsel regarding open records matters.
	Contents	Series may contain: applicant/DBA address, person interviewed, title, Date of Birth, Social Security Number, Operator's License Number, information about the applicant and the type of establishment to be licensed, photos drawing of building (interior and exterior of establishment), investigator signature and badge number, date
	Retention and Disposition	Retain in Agency and upon completion of the report, transfer to Licensee Application File (Series 01052).
01066	Uniform Citations - (Duplicate) (V)	This series documents the citation which provides an uniform mechanism to report violations of KRS 241 through KRS 244 (alcoholic beverage statutes) and KRS 438.300 - 438.350 (sale and distribution of tobacco products). The citation information is also entered into the Kentucky Open Portal System (KyOPS) for statistical purposes and is maintained by the Kentucky State Police. The Uniform Citation may be issued either in paper or electronically.
	Access Restrictions	KRS 61.878 (1)(a) - Personal information. Agencies should consult legal counsel regarding open records matters.
	Contents	Series may contain: Agency, name, address, ID type and number, social security number, date of birth, sex, race, place of employment/occupation of person being cited, vehicle information, date, time, and location of the violation, charge information, post-arrest complaint, name of witness (Investigator), officer signature, badge/ID number, control number
	Retention and Disposition	Retain in Agency for one (1) year after final disposition of case; then destroy.

STATE LIBRARIES, ARCHIVES, AND RECORDS COMMISSION

Archives and Records Management Division

Kentucky Department for Libraries and Archives

**STATE AGENCY RECORDS
RETENTION SCHEDULE**

Public Protection
Alcoholic Beverage Control
Enforcement

**Record Group
Number
0120**

Records Title Series and Description	Function and Use
01068 Complaint File	This series documents complaints from the public regarding establishments allegedly in violation of KRS Chapters 241-244 and title 804 of the Kentucky Administrative Regulations relating to the manufacture, sale, transportation, storage, advertising and trafficking of alcoholic beverages and KRS 438.300 - KRS 438.350 relating to the use, display, sale, or distribution of tobacco products. If no wrongdoing is found, the complaint is closed. If a citation is issued, a fine or Board hearing results.
Access Restrictions	KRS 61.878 (1)(h) during investigation. Agencies should consult legal counsel regarding open records matters.
Contents	Series may contain: Information whether the premise is licensed or not licensed or in dry territory, time, date and method the complaint was received and who received it, complainants address and phone number, information on the suspected violator, name, DBA, License number(s), address, county, number of complaints, investigator and date assigned, best time to investigate, preliminary date investigative is due, results of the preliminary investigation, upgraded to a case (yes or no), date and case number, signatures of investigator, supervisor, comments and dates.
Retention and Disposition	Retain in Agency two (2) years after final disposition of investigation/case; then destroy.
05529 Tobacco Compliance Check Files (V)	This series documents the information obtained by an ABC investigative officer while randomly determining businesses that permit tobacco products to be purchased by minors. The information is used to prepare monthly reports documenting the percentage of sales to minors.
Access Restrictions	Agencies should consult legal counsel regarding open records matters.
Contents	Series may contain: Form, TOB 04/27/06, includes the following information: city, city number, county, county number, name and address of the tobacco outlet, type of the tobacco outlet, date and time of visit, location of tobacco in the outlet, whether the seller/clerk made a sale to a minor, type of tobacco requested, whether the minor was asked their age or for an ID, sex and approximate age of the clerk, sex and age of the minor, Investigative aide ID number, Investigator signature.
Retention and Disposition	Retain in Agency two (2) years after completion of investigation/case; then destroy.
05530 Tobacco Violation Warning Files (V)	This series documents warnings issued to tobacco sellers who are juveniles or an employee who has not been trained on spotting underage buyers or other cases when extenuating circumstances exist and an issuance of citation is inappropriate. A warning has no punishment attached.
Access Restrictions	KRS 61.878 (1)(a) - Personal information. Agencies should consult legal counsel regarding open records matters.
Contents	Series may contain: Form, Tobacco Warning Notice Form ABC 667B, includes the following information: type of violation; violator name and address; violation statute or regulation; details of violation; name, date of birth, Operator's License number or Social Security number of person receiving notice; Investigator signature and unit number; date and time issued.
Retention and Disposition	Retain in Agency two (2) years after completion of investigation/case; then destroy.
05531 Tobacco Citations (V)	This series documents violations of KRS 438.300-350, which prohibits the sale of tobacco products to any person under the age of 18 and other violations listed in the statute. A citation may result in a fine or a hearing before the Board.
Access Restrictions	KRS 61.878 (1)(a) - Personal information. Agencies should consult legal counsel regarding open records matters.
Contents	Series may contain: Tobacco Administrative Citation form includes the following: name, home phone number, alias, emergency phone number, address, date of birth, sex, race, height, weight, hair color, eye color, social security number, and operators license number of violator; name and mailing address of business; violation date and time; city; city code; county; county code; statute number; charge; plea; disposition; court hearing date; time and location; age and sex of purchaser; type of sale; type of outlet; description of violation; whether evidence was held and location held; witness name and address; Investigative Aide number and address; Investigator signature and unit number; control number; year.
Retention and Disposition	Retain in Agency two (2) years after case closure, then destroy.

STATE LIBRARIES, ARCHIVES, AND RECORDS COMMISSION

Archives and Records Management Division

Kentucky Department for Libraries and Archives

**STATE AGENCY RECORDS
RETENTION SCHEDULE**

Public Protection
Alcoholic Beverage Control
Enforcement

**Record Group
Number
0120**

Series	Records Title and Description	Function and Use
05870	Licensee Financial Records for Audits	This series documents copies of a licensee's financial records for purposes of conducting audits to determine if the licensee is in compliance with the terms and requirements of their license pursuant to KRS Chapters 241 through KRS Chapter 244. The records may be voluntarily presented to the Alcoholic Beverage Control designee or seized by the investigator or secured through subpoena.
	Access Restrictions	KRS 61.878 (1)(a). Agencies should consult legal counsel regarding open records matters.
	Contents	Series may contain: Vendors' invoices, sales records, menus, cash register tapes, guest checks, inventory counting sheets, inventory records and bank statements, certified mail forms, additional business information regarding cost and pricing
	Retention and Disposition	Retain in Agency thirty (30) days after completion of all legal proceedings and Order by Alcoholic Beverage Control Board; then destroy. The records shall be returned to licensee at their request.
05871	Licensee Audit Report	This series documents the Licensee Audit Report from information obtained from records in Series 05870 (Licensee Financial Records for Audits). The Alcoholic Beverage Control Board reviews the Audit Report to determine if the licensee is in compliance with the terms and requirements of their license per KRS Chapters 242 - KRS 244 and compliance with food sales. After review by the Board and discrepancies are found, the record is transferred to the Enforcement Case File (01063).
	Access Restrictions	KRS 61.878 (1)(a). Agencies should consult legal counsel regarding open records matters.
	Contents	Series may contain: Vendors' invoices, sales records; menus; cash register tapes; guest checks; inventory sheets; inventory records and bank statements.
	Retention and Disposition	Retain in Agency until completion of audit and if no further action is required, then destroy. If additional action is required, transfer to Series 01063, Alcoholic Beverage Control Enforcement Case Report.
06813	Inspection Form (V)	This series documents information gathered by an Alcoholic Beverage Control enforcement agent that demonstrates a licensee's violation of or compliance with KRS Chapters 241-244.
	Access Restrictions	KRS 61.878(1)(a) - Personal information. Agencies should consult legal counsel regarding open records matters.
	Contents	Series may contain: Licensee information including name, contact information, license numbers; does the Licensee: have signs properly posted, allow minors, meet the minimum grocery inventory, meet the requirements for specific license; number of bars; observed violations; investigator information
	Retention and Disposition	Retain in Agency two (2) years after completion date, then destroy.

STATE LIBRARIES, ARCHIVES, AND RECORDS COMMISSION

Archives and Records Management Division

Kentucky Department for Libraries and Archives

**STATE AGENCY RECORDS
RETENTION SCHEDULE**

Public Protection
Alcoholic Beverage Control
Legal

**Record Group
Number
0120**

Series	Records Title and Description	Function and Use
06816	Case Files - Administrative Proceedings (V)	This series represents the file that is created by the Board Secretary when administrative action is initiated before the Alcoholic Beverage Control Board. The Board conducts administrative hearings, which can include hearings on violations of statutes and administrative regulations, appeals from license denials and appeals from orders of local administrators. An applicant, local ABC Administrator, or licensee has thirty days to appeal the Board's order to Circuit Court. A case is closed when it is withdrawn, when the terms of the Final Order have been completed, or all court appeals have been exhausted or are time barred.
	Access Restrictions	Agencies should consult legal counsel regarding open records matters.
	Contents	Series may contain: Request for hearing, administrative complaint, prehearing conference order, findings of fact, conclusions of law and final order, transcripts, exhibits, correspondence, motions, work product.
	Retention and Disposition	Retain until ninety (90) days after case closure and all appeals have been exhausted, then destroy.

Electronic System With Included Records Series

Public Protection Cabinet

Department of Alcoholic Beverage Control

Commissioner's Office

System Description: This database houses electronic records of entities that possess an alcoholic beverage control license of some type, as well as all the data that is involved with the licensing, education, and enforcement of the licenses.

System Contents: This database houses records related to alcoholic beverage control licensing, which may include the initial application, annual renewal information, affidavits, instructions for using license, copies of lease agreements if the property is not owned, citations, hearing information, hearing dispositions, diagram of location, list of corporate officers, changes in officers, bonds, copies of official orders, and depositions. It also contains licensee financial information for audit purposes, including Vendors' invoices, sales records, menus, cash register tapes, guest checks, inventory counting sheets, inventory records and bank statements, certified mail forms, and additional business information regarding cost and pricing. The database also contains records related to enforcement cases, which may include case number, complaint number, name of person, name of business, ABC license number, mailing address, exact location, county name, date and time of violation, date and time of investigation, person in charge of business, arrest information, offense, ABC investigator name and badge number, date of report, and review sign off. It also contains tobacco violation citations and records of revoked, denied, withdrawn, and incomplete license files. Data is entered into the system by licensing staff, legal staff, enforcement staff and education staff.

General Schedule Items:

System Title: STAR ACO

Alternate Title: STAR

Series #: Series Title:

Disposition Instructions:

01052	Alcoholic Beverage Control License Files	Retain in Agency for two (2) years after license becomes inactive, then destroy.
01063	Alcoholic Beverage Control Enforcement Case Files	Retain in Agency for eight (8) years after case closure, then destroy.
05531	Tobacco Citations	Retain in Agency two (2) years after case closure, then destroy.
05870	Licensee Financial Records for Audits	Retain in Agency thirty (30) days after completion of all legal proceedings and Order by Alcoholic Beverage Control Board; then destroy. The records shall be returned to licensee at their request.

System Title: STAR ACO

Alternate Title: STAR

<i>Series #:</i>	<i>Series Title:</i>	<i>Disposition Instructions:</i>
06813	Inspection Form	Retain in Agency two (2) years after completion date, then destroy.
06814	Denied/Revoked Alcoholic Beverage License File	Retain in Agency five (5) years after date of denial, then destroy.
06815	Incomplete/Withdrawn Alcoholic Beverage License File	Retain in Agency two (2) years after date of withdrawal/incomplete determination, then destroy.
06816	Case Files - Administrative Proceedings	Retain in Agency until three (3) years after case closure and all appeals have been exhausted, then destroy.