

## Retention and Classification Report

**Agency:** Department of Commerce. Division of Securities (871)

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**Records Officer:** \_\_\_\_\_

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**AGENCY:** Department of Commerce. Division of Securities

**SERIES:** 22621

3

**TITLE:** 506 Private placement records

**DATES:** 1996-

**ARRANGEMENT:** Alphabetical by issuer surname

**ANNUAL ACCUMULATION:** 6.00 cubic feet.

**DESCRIPTION:**

These files document 506 Private Placement offerings, registered with the Department of Commerce, Division of Securities. These records are created for the purpose of ensuring compliance with the Uniform Securities Act (UCA 61-1 thru 30 (1999). The records contain corporate finance filings.

**RETENTION:**

Retain for 7 year(s)

**DISPOSITION:**

Destroy.

**RETENTION AND DISPOSITION AUTHORIZATION:**

Retention and disposition for this series is authorized by Archives general schedule Contract and lease records, GRS-1731.

**AUTHORIZED:** 07-30-2019

**FORMAT MANAGEMENT:**

Paper: Retain in Office for 1 year and then transfer to State Records Center. Retain in State Records Center for 6 years and then destroy.

**APPRAISAL:**

These records have administrative, and/or fiscal value(s).

**PRIMARY DESIGNATION:**

Public

**AGENCY:** Department of Commerce. Division of Securities

**SERIES:** 80754

3

**TITLE:** Administrative files and correspondence

**DATES:** 1969-

**ARRANGEMENT:** Chronological thereunder alphabetical by firm or individual name

**DESCRIPTION:**

These records document administrative actions taken by the division. They contain sectional correspondence about policies, programs, filings, and certificates. Included are administrative orders, orders to show cause, stipulation and consent, records of fines, and all related correspondence. Until 2010, these records were titled "Administrative correspondence."

**RETENTION:**

Permanent. Retain for 50 year(s) after case is closed

**DISPOSITION:**

Transfer to Archives.

**RETENTION AND DISPOSITION AUTHORIZATION:**

Retention and disposition for this series is authorized by Archives general schedule Open meeting minutes & supplementary materials, GRS-1709.

**AUTHORIZED:** 10-28-2020

**FORMAT MANAGEMENT:**

Paper: Retain in Office for 1 year after case is closed and then transfer to State Records Center. Retain in State Records Center for 49 years and then transfer to State Archives with authority to weed.

Computer data files: Retain in Office until administrative need ends and then delete provided paper is still the record copy.

**APPRAISAL:**

These records have administrative value(s).

These records document the administrative actions of the division and contain sectional correspondence to approve filings and certificates.

**AGENCY:** Department of Commerce. Division of Securities

**SERIES:** 80754

**TITLE:** Administrative files and correspondence

(continued)

**PRIMARY DESIGNATION:**

Public

**SECONDARY DESIGNATION(S):**

Private. UCA 63G-2-302(2)(d)

**AGENCY:** Department of Commerce. Division of Securities

**SERIES:** 5537

3

**TITLE:** Administrative records

**DATES:** 1972-

**ARRANGEMENT:** Alphanumerical by subject.

**DESCRIPTION:**

Records created by agency administration to document the research, creation and application of agency programs, policies and procedures. May include correspondence, policy and program case files, and executive files documenting leadership roles and decision making processes.

**RETENTION:**

Permanent. Retain for 5 year(s)

**DISPOSITION:**

Transfer to Archives.

**RETENTION AND DISPOSITION AUTHORIZATION:**

Retention and disposition for this series is authorized by Archives general schedule Program and policy development records, GRS-1717.

**AUTHORIZED:** 02-26-2020

**FORMAT MANAGEMENT:**

Paper: Retain in Office for 1 year and then transfer to State Records Center. Retain in State Records Center for 4 years and then transfer to State Archives with authority to weed.

Microfiche master: Retain in State Archives permanently with authority to weed.

Microfiche duplicate: Retain in State Archives permanently with authority to weed.

**APPRAISAL:**

These records have administrative, and/or historical value(s).  
These records have evidentiary value as they track the history of different administrations and policy making and procedures in the agency.

**AGENCY:** Department of Commerce. Division of Securities

**SERIES:** 5537

**TITLE:** Administrative records

(continued)

**PRIMARY DESIGNATION:**

Public

**REVIEW AND UPDATE STATUS:**

This report was reviewed and updated on 04/2017.

**AGENCY:** Department of Commerce. Division of Securities

**SERIES:** 80742

3

**TITLE:** Administrative rules file

**DATES:** 1963-

**ARRANGEMENT:** Chronological

**DESCRIPTION:**

This is a proposal by agency to adopt a new administrative rule or change an existing rule. It includes the agency name and address, the contact person, the rule title, a summary of the rule or change and the reason for it, the anticipated cost impact, the type of notice, a justification for a 120 day rule, any applicable state or federal mandate, the means of public comment (at public hearing, by appearing at the agency, or by written comment) the period for comments, the signature of the agency head or designee, the date the notice was signed, the date and time the notice was received in the Office of Administrative Rules and the name of the person receiving it, the dates the 120 day rules become effective and lapse, and the Office of Administrative Rules and the originating agency's numbers.

**RETENTION:**

Permanent. Retain until administrative need ends

**DISPOSITION:**

Transfer to Archives.

**RETENTION AND DISPOSITION AUTHORIZATION:**

These records are in Archives' permanent custody.

**APPROVED:** 06/1987

**FORMAT MANAGEMENT:**

Paper: Retain in Office until no longer administratively valuable and then transfer to State Archives with authority to weed.

**APPRAISAL:**

These records have administrative, and/or historical value(s). The rulemaking function of the division is part of its policy-setting activities. As a result, this is a document of long-term interest and should be retained permanently.

**AGENCY:** Department of Commerce. Division of Securities

**SERIES:** 80742

**TITLE:** Administrative rules file

(continued)

**PRIMARY DESIGNATION:**

Public

**AGENCY:** Department of Commerce. Division of Securities

**SERIES:** 80741

3

**TITLE:** Attorney General's opinions

**DATES:** 1935-

**ARRANGEMENT:** Chronological

**DESCRIPTION:**

These are legal interpretations written by the Attorney General's office upon request by the division to guide them in enforcing and obeying the law.

**RETENTION:**

Permanent. Retain until administrative need ends

**DISPOSITION:**

Transfer to Archives.

**RETENTION AND DISPOSITION AUTHORIZATION:**

These records are in Archives' permanent custody.

**APPROVED:** 06/1987

**FORMAT MANAGEMENT:**

Paper: Retain in Office until no longer has administrative value and then transfer to State Archives with authority to weed.

**APPRAISAL:**

These records have administrative, and/or historical value(s). As these opinions guide the division in its actions, they have long-term research value. They should be retained in the office as long as the division staff has need of them. Once the administrative value ends, they should be transferred to the State Archives.

**PRIMARY DESIGNATION:**

Public

**AGENCY:** Department of Commerce. Division of Securities

**SERIES:** 24584

3

**TITLE:** Audit work files

**DATES:** 1999-

**ARRANGEMENT:** Alphabetical by case name.

**ANNUAL ACCUMULATION:** 15.00 cubic feet.

**DESCRIPTION:**

These files contain information obtained from broker-dealers and agents, investment advisers and investment adviser representatives, during securities audits. This information is compiled in order to create audit reports and exhibits. These files contain supporting documentation for administrative and civil securities cases.

**RETENTION:**

Retain for 10 year(s)

**DISPOSITION:**

Destroy.

**RETENTION AND DISPOSITION AUTHORIZATION:**

Retention and disposition for this series were specifically approved by the State Records Committee.

**APPROVED:** 02/2003

**FORMAT MANAGEMENT:**

Paper: Retain in Office for 1 year and then transfer to State Records Center. Retain in State Records Center for 9 years and then destroy.

Audio cassettes: Retain in Office for 1 year and then transfer to State Records Center. Retain in State Records Center for 9 years and then destroy.

Video recordings master: Retain in Office for 1 year and then transfer to State Records Center. Retain in State Records Center for 9 years and then destroy.

**AGENCY:** Department of Commerce. Division of Securities

**SERIES:** 24584

**TITLE:** Audit work files

(continued)

**APPRAISAL:**

These records have administrative, fiscal, and/or legal value(s).

**PRIMARY DESIGNATION:**

Protected UCA 63G-2-305(9)(e)

**AGENCY:** Department of Commerce. Division of Securities

**SERIES:** 80726

3

**TITLE:** Broker dealer files

**DATES:** 1978-

**ARRANGEMENT:** Alphabetical by name

**ANNUAL ACCUMULATION:** 6.00 cubic feet.

**DESCRIPTION:**

This is the record of the registration of individuals engaged in the business of effecting transactions in securities and in advising others as to the value of securities and the advisability of investing in securities. According to UCA 61-1-4, the registration is good until December 31 of each year and must be renewed annually. The file includes the applicant's form and place of organization; the qualifications and business history of the applicant; in the case of a broker dealer or investment advisor, the qualifications and business history of any partner, officer, or director, any person occupying a similar status or performing similar functions, or any person directly or indirectly controlling the broker-dealer or investment advisor; and, in the case of an investment advisor, the qualifications and business history of any employee; any injunction or administrative order or conviction of a misdemeanor involving a security or any aspect of the securities business and any conviction of a felony; and the applicant's financial condition and history.

**RETENTION:**

Retain for 6 year(s)

**DISPOSITION:**

Destroy.

**RETENTION AND DISPOSITION AUTHORIZATION:**

These records are in Archives' permanent custody.

**APPROVED:** 06/1987

**FORMAT MANAGEMENT:**

Paper: Retain in Office for 1 year and then transfer to State Records Center. Retain in State Records Center for 5 years and then destroy.

Microfilm master: Retain in Archives for 6 years and then

**AGENCY:** Department of Commerce. Division of Securities

**SERIES:** 80726

**TITLE:** Broker dealer files

(continued)

destroy.

Microfilm duplicate: Retain in Archives for 6 years and then destroy.

**APPRAISAL:**

These records have administrative, and/or legal value(s).  
UCA 61-1-21 sets a five year statute of limitations for actions in violation of the Utah Uniform Securities Act.

**PRIMARY DESIGNATION:**

Public                      Where license is granted, whether or not later suspended or revoked and all other portions of the CRD file not included below.

**SECONDARY DESIGNATION(S):**

Private.                      Pending or withdrawn applications, CRD records, social security number, and home address.

**AGENCY:** Department of Commerce. Division of Securities

**SERIES:** 80736

3

**TITLE:** Broker-dealer card file

**DATES:** 1925-

**ARRANGEMENT:** Alphabetical by name

**DESCRIPTION:**

This is a card file used as an index and as a quick reference to the Broker-Dealers currently and formerly registered in the state. This file includes the business name, address, date the application was filled out, the bond date, the registration date, the name of the corporate officer, and a record of activities including complaints against them (gives date filed, who filed it, and the reason for the complaint and the disposition). This record is not in paper format after 1988. It is in the computer data file.

**RETENTION:**

Retain permanently

**DISPOSITION:**

May Transfer to Archives.

**RETENTION AND DISPOSITION AUTHORIZATION:**

These records are in Archives' permanent custody.

**APPROVED:** 06/1987

**FORMAT MANAGEMENT:**

Paper: Retain in Office permanently.

**APPRAISAL:**

These records have administrative value(s).  
Retention of this record will allow the office to maintain a permanent record of all the broker-dealers registered in the state.

**AGENCY:** Department of Commerce. Division of Securities

**SERIES:** 80730

3

**TITLE:** Civil litigation files

**DATES:** 1982-

**ARRANGEMENT:** alphabetical by name

**ANNUAL ACCUMULATION:** 3.00 cubic feet.

**DESCRIPTION:**

These records document civil litigation actions taken by the division or civil litigation actions filed against the division. This series includes records of hearings including evidence presented; a transcript of the hearing; pleadings and exhibits filed with the court; court orders; discovery records; findings of fact ; and conclusions of law. Records may contain supporting documents from investigative files or audit files. Before 2011, these records were entitled "Enforcement hearing files."

**RETENTION:**

Permanent. Retain for 20 year(s) after case is closed

**DISPOSITION:**

Transfer to Archives.

**RETENTION AND DISPOSITION AUTHORIZATION:**

Retention and disposition for this series is authorized by Archives general schedule High profile civil case files, GRS-2035.

**AUTHORIZED:** 02-26-2020

**FORMAT MANAGEMENT:**

Paper: Retain in Office for 1 year after case closed and then transfer to State Records Center. Retain in State Records Center for 19 years and then transfer to State Archives with authority to weed.

Computer data files: Retain in Office until administrative need ends and then delete provided paper copy is record copy.

**APPRAISAL:**

These records have administrative, historical, and/or legal value(s). The in office retention is to allow for any possible appeal actions on the cases. The files provide evidence of civil litigation in the State of Utah.

**AGENCY:** Department of Commerce. Division of Securities

**SERIES:** 80730

**TITLE:** Civil litigation files

(continued)

**PRIMARY DESIGNATION:**

Public

**SECONDARY DESIGNATION(S):**

Private. UCA 63G-2-302

Protected. UCA 63G-2-305

**AGENCY:** Department of Commerce. Division of Securities

**SERIES:** 80728

3

**TITLE:** Coordinated issuer's files

**DATES:** 1982-

**ARRANGEMENT:** Alphabetical by name

**ANNUAL ACCUMULATION:** 18.00 cubic feet.

**DESCRIPTION:**

This is a record of the registration of securities that are subject to federal registration. Registration of these securities is required by UCA 61-1-9. This record series includes certificate of registration; application for securities registration; consent to service of process; corporate resolution; pricing amendments and prospectus or disclosure statement giving the plans and procedures of the company selling the securities; and final sales report.

**RETENTION:**

Retain for 6 year(s)

**DISPOSITION:**

Destroy.

**RETENTION AND DISPOSITION AUTHORIZATION:**

These records are in Archives' permanent custody.

**APPROVED:** 06/1987

**FORMAT MANAGEMENT:**

Paper: Retain in Office for 1 year and then transfer to State Records Center. Retain in State Records Center for 5 years and then destroy.

**APPRAISAL:**

These records have administrative, and/or legal value(s). This retention is based on the statute of limitations in UCA 61-1-21.

**AGENCY:** Department of Commerce. Division of Securities

**SERIES:** 80728

**TITLE:** Coordinated issuer's files

(continued)

**PRIMARY DESIGNATION:**

Public	Name of issuer, registration status, where registration was granted, and whether or not later revoked or suspended.
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**SECONDARY DESIGNATION(S):**

Private.	Pending or withdrawn applications.
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**AGENCY:** Department of Commerce. Division of Securities

**SERIES:** 80757

3

**TITLE:** CRD account detail report

**DATES:** 1983-

**ARRANGEMENT:** Chronological

**DESCRIPTION:**

This is a computer printout generated by the Central Registration Depository in Washington. It is part of a national registration of broker-dealers and agents and is used for reference purposes by the staff. The information includes the transaction number, the Central Registration Depository number, the agent or broker-dealer's name and social security number, a description of the fee, the account number, and the amount paid.

**RETENTION:**

Retain for 6 year(s)

**DISPOSITION:**

Destroy.

**RETENTION AND DISPOSITION AUTHORIZATION:**

These records are in Archives' permanent custody.

**APPROVED:** 06/1987

**FORMAT MANAGEMENT:**

Paper: Retain in Office for 2 years and then transfer to State Records Center. Retain in State Records Center for 4 years and then destroy.

**APPRAISAL:**

These records have administrative value(s).  
This record has administrative value only.

**AGENCY:** Department of Commerce. Division of Securities

**SERIES:** 80757

**TITLE:** CRD account detail report

(continued)

**PRIMARY DESIGNATION:**

Private

**AGENCY:** Department of Commerce. Division of Securities

**SERIES:** 80729

3

**TITLE:** Investigation case files

**DATES:** 1967-

**ARRANGEMENT:** Alphabetical by surname

**ANNUAL ACCUMULATION:** 10.00 cubic feet.

**DESCRIPTION:**

This is the record of investigations conducted by the division under the authority of Utah Code 61-1-19(2009) of alleged violations of the Utah Uniform Securities Act. These files include complaints, subpoenas, financial records, copies of securities filings, and working papers of investigators.

**RETENTION:**

Retain for 50 year(s) after case is closed

**DISPOSITION:**

Destroy.

**RETENTION AND DISPOSITION AUTHORIZATION:**

These records are in Archives' permanent custody.

**APPROVED:** 01/2014

**FORMAT MANAGEMENT:**

Paper: Retain in Office for 2 years after the investigation is closed and then transfer to State Records Center. Retain in State Records Center for 48 years and then destroy.

**APPRAISAL:**

These records have administrative value(s).  
Retention of these records will allow the state to maintain background information on subsequent investigations as well as allow for additional information to turn up in cases where insufficient evidence exists.

**RETENTION JUSTIFICATION:**

**AGENCY:** Department of Commerce. Division of Securities

**SERIES:** 80729

**TITLE:** Investigation case files

(continued)

These are investigation records to determine the course of action to be taken and the foundation of the prosecution that may follow. Violations may lead to hearings, criminal investigation in conjunction with the Attorney General's office, or civil litigation. These are usually fraud cases related to stocks and bonds. Not every case can be grandfathered in to a new violation, but repeat offenders have occurred after a prison sentence has been served. There are a lot of repeat offenders and the background investigation to those violations need to be kept for the life of the violator. There has been a case of a violation at the age of 20 and that case

**PRIMARY DESIGNATION:**

Protected                      Utah Code 63G-2-305(2013)

**AGENCY:** Department of Commerce. Division of Securities

**SERIES:** 80738

3

**TITLE:** Issuer card file

**DATES:** 1929-

**ARRANGEMENT:** Alphabetical by name

**DESCRIPTION:**

This is a record of securities that have been registered with the state. It is used as an index and finding aid. The file includes the company name and address, the file number, the type of issue, the case number, the receipt number, the dates filed and registered, and the date the record was transferred to the Archives for storage. After 1988 this record was maintained as a computer data file.

**RETENTION:**

Retain permanently

**DISPOSITION:**

May Transfer to Archives.

**RETENTION AND DISPOSITION AUTHORIZATION:**

These records are in Archives' permanent custody.

**APPROVED:** 06/1987

**FORMAT MANAGEMENT:**

Paper: Retain in Office permanently.

**APPRAISAL:**

These records have administrative value(s).

This retention is to ensure that a record of these issues will be kept for staff reference.

**PRIMARY DESIGNATION:**

Public

**AGENCY:** Department of Commerce. Division of Securities

**SERIES:** 5614

3

**TITLE:** Laws and regulations

**DATES:** 1933-

**ARRANGEMENT:** Chronological by date.

**DESCRIPTION:**

This series contains pamphlets created by the State Securities Commission with selections of the Utah Code pertaining to the State Securities Act, later also known as the Utah Uniform Securities Act.

**RETENTION AND DISPOSITION AUTHORIZATION:**

Retention and disposition for this series is authorized by Archives general schedule Publications, GRS-1678.

**AUTHORIZED:** 10-30-2018

**FORMAT MANAGEMENT:**

Paper: Retain in State Archives permanently with authority to weed.

**APPRAISAL:**

These records have historical value(s).  
Publications document agency history and functions. Publications have ongoing research value.

**PRIMARY DESIGNATION:**

Public

**REVIEW AND UPDATE STATUS:**

This report was reviewed and updated on 04/2017.

**AGENCY:** Department of Commerce. Division of Securities

**SERIES:** 80758

3

**TITLE:** Miscellaneous exemption files

**DATES:** 1983-

**ARRANGEMENT:** Alphabetical by surname

**ANNUAL ACCUMULATION:** 1.50 cubic feet.

**DESCRIPTION:**

These are securities that are exempt from the registration provisions of UCA 67-1-7 (1993), which states "it is unlawful for any person to offer or sell any security in this state unless it is registered or the security or transaction is exempted under Section 61-1-14." Information includes securities issued by political bodies, foreign securities, federal savings and loan securities, credit union securities, common carrier securities, securities listed on stock exchanges, and securities issued by non-profit organizations..

**RETENTION:**

Retain for 5 year(s)

**DISPOSITION:**

Destroy.

**RETENTION AND DISPOSITION AUTHORIZATION:**

Retention and disposition for this series were specifically approved by the State Records Committee.

**APPROVED:** 08/1996

**FORMAT MANAGEMENT:**

Paper: Retain in Office for 1 year and then transfer to State Records Center. Retain in State Records Center for 4 years and then destroy.

**APPRAISAL:**

These records have administrative value(s).  
This disposition is based on the administrative needs expressed by the agency.

**AGENCY:** Department of Commerce. Division of Securities

**SERIES:** 80758

**TITLE:** Miscellaneous exemption files

(continued)

**PRIMARY DESIGNATION:**

Public

**AGENCY:** Department of Commerce. Division of Securities

**SERIES:** 22620

3

**TITLE:** Mutual fund records

**DATES:** 1996-

**ARRANGEMENT:** Alphabetical by issuer surname

**ANNUAL ACCUMULATION:** 12.00 cubic feet.

**DESCRIPTION:**

These files document Mutual Funds offerings, registered with the Department of Commerce, Division of Securities. These records are created for the purpose of ensuring compliance with the Uniform Securities Act (UCA 61-1 thru 30 (1999)).

**RETENTION:**

Retain for 6 year(s)

**DISPOSITION:**

Destroy.

**RETENTION AND DISPOSITION AUTHORIZATION:**

Retention and disposition for this series were specifically approved by the State Records Committee.

**APPROVED:** 04/2000

**FORMAT MANAGEMENT:**

Paper: Retain in Office for 1 year and then transfer to State Records Center. Retain in State Records Center for 5 years and then destroy.

**APPRAISAL:**

These records have administrative, and/or legal value(s).

**PRIMARY DESIGNATION:**

Public

**AGENCY:** Department of Commerce. Division of Securities

**SERIES:** 80747

3

**TITLE:** Press releases

**DATES:** undated

**ARRANGEMENT:** none

**DESCRIPTION:**

A copy of prepared statements or announcements issued for distribution to the news media. A press release may be a textual record or a non-textual record such as a film or video sound recording.

**RETENTION:**

Permanent. Retain for 2 year(s)

**DISPOSITION:**

Transfer to Archives.

**RETENTION AND DISPOSITION AUTHORIZATION:**

These records are in Archives' permanent custody.

**AUTHORIZED:** 12-01-2014

**FORMAT MANAGEMENT:**

Paper: Retain in Office for 2 years and then transfer to State Archives with authority to weed.

**APPRAISAL:**

These records have administrative, and/or historical value(s).  
Based on General Retention Schedule 14 Item 1b.

**PRIMARY DESIGNATION:**

Public

**AGENCY:** Department of Commerce. Division of Securities

**SERIES:** 24583

3

**TITLE:** Primary audit files

**DATES:** 1999-

**ARRANGEMENT:** Alphabetical by case name.

**ANNUAL ACCUMULATION:** 3.00 cubic feet.

**DESCRIPTION:**

These audit files contain information obtained from broker-dealers and agents, investment advisers and investment adviser representatives, as a result of a securities audit. These are the primary audit files which contain the audit reports and exhibits used in the case against the individual or company. These files may include client account information, correspondence, memoranda, trade blotters, ledgers, ledger accounts, trade confirmations, buy and sell tickets, new account information, cash and margin account documentation, employee records, employee licensing history, customer complaints and other like business documents.

**RETENTION:**

Retain for 10 year(s)

**DISPOSITION:**

Destroy.

**RETENTION AND DISPOSITION AUTHORIZATION:**

Retention and disposition for this series were specifically approved by the State Records Committee.

**APPROVED:** 02/2003

**FORMAT MANAGEMENT:**

Paper: Retain in Office for 3 years and then transfer to State Records Center. Retain in State Records Center for 7 years and then destroy.

Audio cassettes: Retain in Office for 3 years and then transfer to State Records Center. Retain in State Records Center for 7 years and then destroy.

Video recordings master: Retain in Office for 3 years and then transfer to State Records Center. Retain in State Records Center for 7 years and then destroy.

**AGENCY:** Department of Commerce. Division of Securities

**SERIES:** 24583

**TITLE:** Primary audit files

(continued)

**APPRAISAL:**

These records have administrative, fiscal, and/or legal value(s).

These records contain information used in auditing and investigating companies for their compliance with securities regulations.

**PRIMARY DESIGNATION:**

Protected UCA 63G-2-305(9)(e)

**AGENCY:** Department of Commerce. Division of Securities

**SERIES:** 25562

3

**TITLE:** Publications

**DATES:** c. 1960-

**ARRANGEMENT:** Chronological by year.

**DESCRIPTION:**

Documents created by the agency, including pamphlets, reports, leaflets, file manuals, annual reports, other published or processed documents, and the last manuscript report, if not published, relating to management projects. Holdings include undated "The Utah Securities Law...and You" (c.1960), Securities Bulletin (1984-1985), miscellaneous forms and regulations (1986) and Response to the Securities Fraud Task Force Report of 1984 (1987).

**RETENTION AND DISPOSITION AUTHORIZATION:**

Retention and disposition for this series is authorized by Archives general schedule Publications, GRS-1678.

**AUTHORIZED:** 10-30-2018

**FORMAT MANAGEMENT:**

Paper: Retain in State Archives permanently with authority to weed.

**APPRAISAL:**

These records have historical value(s).  
Publications which document agency history and functions have ongoing research value.

**PRIMARY DESIGNATION:**

Public

**REVIEW AND UPDATE STATUS:**

This report was reviewed and updated on 04/2017.

**AGENCY:** Department of Commerce. Division of Securities

**SERIES:** 80727

3

**TITLE:** Registration by qualification for issuers

**DATES:** 1982-

**ARRANGEMENT:** Alphabetical by name

**ANNUAL ACCUMULATION:** 4.00 cubic feet.

**DESCRIPTION:**

These records document the registration of securities sold in the State of Utah that are not subject to federal registration. Information includes financial audits; shareholders list; division closing letter; release of escrow; closing report; bank's report of escrow; fund impoundment agreement; application by qualification; certificate of registration; interim financial reports; certificate of agent registration; agent application; waiver letter; letter of consent from transfer agent, attorney, certified public accountant and sales agent; consent to service of process; corporate resolution; articles of incorporation; bylaws and organizational minutes; corporate acknowledgment; sample stock certificate; sales agent appointment; subscription agreement; and correspondence.

**RETENTION:**

Permanent. Retain for 10 year(s)

**DISPOSITION:**

Transfer to Archives.

**RETENTION AND DISPOSITION AUTHORIZATION:**

Retention and disposition for this series were specifically approved by the State Records Committee.

**APPROVED:** 01/2000

**FORMAT MANAGEMENT:**

Paper: Retain in Office for 1 year after all actions are completed and then transfer to State Records Center. Retain in State Records Center for 9 years and then transfer to State Archives.

**AGENCY:** Department of Commerce. Division of Securities

**SERIES:** 80727

**TITLE:** Registration by qualification for issuers

(continued)

**APPRAISAL:**

These records have administrative, and/or legal value(s).  
Although the statute of limitations under UCA 61-1-21 is five years, the discovery rule, which states that the statute does not run until the violation is discovered, applies here. Therefore, the Division of Securities believes that a permanent retention is needed to cover the legal requirements for this record.

**PRIMARY DESIGNATION:**

Public

**SECONDARY DESIGNATION(S):**

Private. UCA 63G-2-302 (2008)

**AGENCY:** Department of Commerce. Division of Securities

**SERIES:** 80732

3

**TITLE:** Registration hearing files

**DATES:** 1982-

**ARRANGEMENT:** Numerical by case number

**ANNUAL ACCUMULATION:** 2.00 cubic feet.

**DESCRIPTION:**

These files document hearings in which the division has issued a stop order during the registration process to suspend or revoke any security registration statement. The Division of Securities may take this action if the Securities Advisory Board judges it to be in the public interest, there is evidence of code violation, the security is the subject of an administrative stop order, or the applicant fails to pay the proper filing fee. (UCA 61-1-12 (1993)). Information includes subpoena, memoranda in support of revocation of registration statement, supplemental memoranda, response memoranda in opposition from notice of continuance, order suspending effectiveness of registration, certificate of mailing, findings of fact, conclusions of law, and recommended order.

**RETENTION:**

Retain for 6 year(s) after case is closed

**DISPOSITION:**

Destroy.

**RETENTION AND DISPOSITION AUTHORIZATION:**

Retention and disposition for this series were specifically approved by the State Records Committee.

**APPROVED:** 11/1993

**FORMAT MANAGEMENT:**

Paper: Retain in Office for 1 year after case is closed and then transfer to State Records Center. Retain in State Records Center for 5 years and then destroy.

**AGENCY:** Department of Commerce. Division of Securities

**SERIES:** 80732

**TITLE:** Registration hearing files

(continued)

**APPRAISAL:**

These records have administrative value(s).

**PRIMARY DESIGNATION:**

Public

**AGENCY:** Department of Commerce. Division of Securities

**SERIES:** 80756

3

**TITLE:** Schedule of registration for agents, Schedule of broker-dealer registration, and issuer's list

**DATES:** 1977-

**ARRANGEMENT:** Chronological

**DESCRIPTION:**

These were lists that the Division compiled for distribution on request to members of the public and businesses. These lists are no longer compiled. This record series includes the broker-dealer's, agent's, or company name; the date of registration; the date of issue; the current status; and the type of issue.

**RETENTION:**

Retain for 1 year(s)

**DISPOSITION:**

Destroy.

**RETENTION AND DISPOSITION AUTHORIZATION:**

Retention and disposition for this series were specifically approved by the State Records Committee.

**APPROVED:** 06/1987

**FORMAT MANAGEMENT:**

Paper: Retain in Office for 1 year and then destroy.

**APPRAISAL:**

These records have administrative value(s).

This record is now obsolete and has no further administrative value.

**AGENCY:** Department of Commerce. Division of Securities

**SERIES:** 80756

**TITLE:** Schedule of registration for agents, Schedule of broker-dealer registration, and issuer's list

(continued)

**PRIMARY DESIGNATION:**

Public

Schedule of Registration for Agents, Schedule of Broker/Dealer registration and Issuers List.

**AGENCY:** Department of Commerce. Division of Securities

**SERIES:** 80733

3

**TITLE:** Secondary trading exemptions

**DATES:** 1980-

**ARRANGEMENT:** Alphabetical by surname

**ANNUAL ACCUMULATION:** 6.00 cubic feet.

**DESCRIPTION:**

These records document secondary trading exemptions, financial information, and certified public accountant reports on the use of proceeds from sales of security transactions exempted from registration requirements as outlined in UCA 61-1-14 (1993). Exemptions granted include securities guaranteed by the United States or Canadian governments, banks, savings institutions, or trust companies organized under the laws of the United States or Utah. In addition, securities issued or guaranteed by any railroad, public utility, or holding company subject to the jurisdiction of the interstate commerce commission are also included.

**RETENTION:**

Retain for 7 year(s)

**DISPOSITION:**

Destroy.

**RETENTION AND DISPOSITION AUTHORIZATION:**

Retention and disposition for this series were specifically approved by the State Records Committee.

**APPROVED:** 08/1996

**FORMAT MANAGEMENT:**

Paper: Retain in Office for 2 years after the company becomes dormant and then transfer to State Records Center. Retain in State Records Center for 5 years and then destroy.

Microfilm master: Retain in Archives for 7 years and then destroy.

Microfilm duplicate: Retain in Archives for 7 years and then destroy.

**AGENCY:** Department of Commerce. Division of Securities

**SERIES:** 80733

**TITLE:** Secondary trading exemptions

(continued)

**APPRAISAL:**

These records have administrative value(s).

This disposition is based on the administrative needs expressed by the agency.

**PRIMARY DESIGNATION:**

Public

**SECONDARY DESIGNATION(S):**

Private. UCA 63G-2-302 (2008)

**AGENCY:** Department of Commerce. Division of Securities

**SERIES:** 80739

3

**TITLE:** Securities agents record card file

**DATES:** 1927-

**ARRANGEMENT:** Alphabetical by name.

**DESCRIPTION:**

This is a finding aid and index to the files of registered sellers of securities. The information includes the agent's name, address, employer, date application filed, date registered, receipt number, license number, and the date the agent became inactive.

After 1988 this record was kept as a computer data file.

**RETENTION:**

Retain permanently

**DISPOSITION:**

May Transfer to Archives.

**RETENTION AND DISPOSITION AUTHORIZATION:**

These records are in Archives' permanent custody.

**APPROVED:** 06/1987

**FORMAT MANAGEMENT:**

Paper: Retain in Office permanently.

**APPRAISAL:**

These records have administrative value(s).

This retention is set to ensure that a record of each agent will be kept.

**PRIMARY DESIGNATION:**

Public

**AGENCY:** Department of Commerce. Division of Securities

**SERIES:** 80735

3

**TITLE:** Uniform limited offering exemption files

**DATES:** 1982-

**ARRANGEMENT:** Alphabetical by company name, thereunder chronological

**ANNUAL ACCUMULATION:** 3.00 cubic feet.

**DESCRIPTION:**

These files document private offerings exempted from registration with the Securities and Exchange Commission. These are limited to 35 or fewer investors. Information includes Notice of Sales of Securities Pursuant to Regulation D or Section 4(6), correspondence, final sales report, corporate name and address, employer identification number, and the issuer's business.

**RETENTION:**

Retain for 4 year(s) after resolution of issue

**DISPOSITION:**

Destroy.

**RETENTION AND DISPOSITION AUTHORIZATION:**

Retention and disposition for this series were specifically approved by the State Records Committee.

**APPROVED:** 08/1996

**FORMAT MANAGEMENT:**

Paper: Retain in Office for 1 year after the offering is closed and then transfer to State Records Center. Retain in State Records Center for 3 years and then destroy.

**APPRAISAL:**

These records have administrative value(s).  
This disposition is based on the administrative needs expressed by the agency.

**AGENCY:** Department of Commerce. Division of Securities

**SERIES:** 80735

**TITLE:** Uniform limited offering exemption files

(continued)

**PRIMARY DESIGNATION:**

Public

**SECONDARY DESIGNATION(S):**

Private. UCA 63G-2-302 (2008)

**AGENCY:** Department of Commerce. Division of Securities

**SERIES:** 22622

3

**TITLE:** Unit investment trust records

**DATES:** 1993-

**ARRANGEMENT:** Alphabetical by issuer surname

**ANNUAL ACCUMULATION:** 1.00 cubic foot.

**DESCRIPTION:**

These files document Unit Investment Trusts (UIT) registered with the Department of Commerce, Division of Securities. These records are created for the purpose of ensuring compliance with the Uniform Securities Act (UCA 61-1 thru 30 (1999)).

**RETENTION:**

Retain for 6 year(s)

**DISPOSITION:**

Destroy.

**RETENTION AND DISPOSITION AUTHORIZATION:**

Retention and disposition for this series were specifically approved by the State Records Committee.

**APPROVED:** 04/2000

**FORMAT MANAGEMENT:**

Paper: Retain in Office for 1 year and then transfer to State Records Center. Retain in State Records Center for 5 years and then destroy.

**APPRAISAL:**

These records have administrative, and/or legal value(s).

**PRIMARY DESIGNATION:**

Public