

Retention and Classification Report

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

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Records Officer: _____

22621	506 Private placement records
80754	Administrative files and correspondence
05537	Administrative records
80742	Administrative rules file
80741	Attorney General's opinions
24584	Audit work files
80726	Broker dealer files
80736	Broker-dealer card file
80730	Civil litigation files
80728	Coordinated issuer's files
80729	Investigation case files
05614	Laws and regulations
80758	Miscellaneous exemption files
22620	Mutual fund records
80747	Press releases
24583	Primary audit files
25562	Publications
80727	Registration by qualification for issuers
80732	Registration hearing files
80733	Secondary trading exemptions
80739	Securities agents record card file
80735	Uniform limited offering exemption files
22622	Unit investment trust records

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. Under U.C.A. § 63A-12-115, the Utah Department of Commerce hereby discloses this record series does not contain personal identifying information ("PII").

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).

AGENCY: Department of Commerce. Division of Securities

SERIES: 22621

TITLE: 506 Private placement records

(continued)

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." Personal Identifying Information (PII) that may be contained within Division administrative files and correspondence: name, DOB, phone number, home address, criminal records, financial documents. Purpose for which Administrative Files and Correspondence is Collected: The Division collects administrative files and correspondence to meet its statutory requirements for orders to show cause, stipulation and consent agreements, and other administrative filings.

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 permanently.

AGENCY: Department of Commerce. Division of Securities

SERIES: 80754

TITLE: Administrative files and correspondence

(continued)

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.

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. Under U.C.A. § 63A-12-115, the Utah Department of Commerce hereby discloses this record series does not contain personal identifying information ("PII").

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 5 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.

Computer data files: Retain in Office for 5 years and then transfer to State Archives with authority to weed.

AGENCY: Department of Commerce. Division of Securities

SERIES: 5537

TITLE: Administrative records

(continued)

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.

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. Under U.C.A. § 63A-12-115, the Utah Department of Commerce hereby discloses this record series does not contain personal identifying information ("PII").

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.

Computer data files: Retain in Office until administrative value has been met and then transfer to State Archives with authority to weed.

AGENCY: Department of Commerce. Division of Securities

SERIES: 80742

TITLE: Administrative rules file

(continued)

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.

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. Under U.C.A. § 63A-12-115, the Utah Department of Commerce hereby discloses this record series does not contain personal identifying information ("PII").

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.

Computer data files: Retain in Office until administrative value has been met.

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.

AGENCY: Department of Commerce. Division of Securities

SERIES: 80741

TITLE: Attorney General's opinions

(continued)

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 vulnerable adult reports and other information obtained from broker-dealers and agents, investment advisers and investment adviser representatives, during securities audits and reporting. This information is compiled in order to create audit reports and exhibits. These files contain supporting documentation for administrative and civil securities cases. Personal Identifying Information (PII) that may be contained within Division audit work files: name, DOB, SSN, phone number, home address, email address, state of birth, country of birth, sex, height, weight, hair color, eye color, personal residential history, biometric data, criminal records, financial statements. Purpose for which Audit Work Files is Collected: The Division collects audit work files to create audit reports for examinations and exhibitions for administrative filings.

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.

AGENCY: Department of Commerce. Division of Securities

SERIES: 24584

TITLE: Audit work files

(continued)

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.

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. Personal Identifying Information (PII) that may be contained within Division broker-dealer files: name, DOB, SSN, phone number, home address, email address, state of birth, country of birth, sex, height, weight, hair color, eye color, personal residential history, employment history, biometric data, criminal records, bank and financial information. Purpose for which Broker-Dealer Files is Collected: The Division collects broker-dealer files to meet statutory requirements for issuing a securities license.

RETENTION:

Retain for 6 year(s)

DISPOSITION:

Destroy.

RETENTION AND DISPOSITION AUTHORIZATION:

These records are in Archives' permanent custody.

APPROVED: 06/1987

AGENCY: Department of Commerce. Division of Securities

SERIES: 80726

TITLE: Broker dealer files

(continued)

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 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.
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SECONDARY DESIGNATION(S):

Private.	Pending or withdrawn applications, CRD records, social security number, and home address.
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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. Under U.C.A. § 63A-12-115, the Utah Department of Commerce hereby discloses this record series does not contain personal identifying information ("PII").

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.

Computer data files: 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: 80736

TITLE: Broker-dealer card file

(continued)

PRIMARY DESIGNATION:

Public

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." Personal Identifying Information (PII) that may be contained within Division civil litigation files: name, age, phone number, home address, email address, financial records. Purpose for which Civil Litigation Files Collected: The Division collects civil litigation files to prepare evidentiary records for civil proceedings.

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 permanently and then delete.

AGENCY: Department of Commerce. Division of Securities

SERIES: 80730

TITLE: Civil litigation files

(continued)

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.

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. Personal Identifying Information (PII) that may be contained within Division coordinated issuers' files: issuer name, registration statement, phone number, business address, email address, disclosure statement, pricing information. Purpose for which Coordinated Issuers' Files is Collected: The Division collects coordinated issuers' files to remain in compliance with federal and state statute.

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.

AGENCY: Department of Commerce. Division of Securities

SERIES: 80728

TITLE: Coordinated issuer's files

(continued)

APPRAISAL:

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

This retention is based on the statute of limitations in UCA
61-1-21.

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: 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. Personal Identifying Information (PII) that may be contained within Division investigation case files: These files complaints, subpoenas, interviews, financial records, bank statements, victim identities, name, DOB, SSN, eye color, hair color, height, weight, criminal history. Purpose for which Investigation Case Files is Collected: This information is compiled in order to investigate and prosecute securities fraud and unlicensed activity. These files contain supporting documentation for criminal, civil, and administrative filings.

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.

AGENCY: Department of Commerce. Division of Securities

SERIES: 80729

TITLE: Investigation case files

(continued)

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:

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: 5614

3

TITLE: Laws and regulations

DATES: 1933-

ARRANGEMENT: Chronological by date.

DESCRIPTION:

This series contains the Utah Uniform Securities Act and the Utah Code. Under U.C.A. § 63A-12-115, the Utah Department of Commerce hereby discloses this record series does not contain personal identifying information ("PII").

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.

Computer data files: Retain in Office permanently.

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. 4/2/25

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.

Computer data files: Retain in Office for 5 years and then delete.

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). Under U.C.A. § 63A-12-115, the Utah Department of Commerce hereby discloses this record series does not contain personal identifying information ("PII").

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.

Computer data files: Retain in Office for 6 years and then delete.

APPRAISAL:

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

AGENCY: Department of Commerce. Division of Securities

SERIES: 22620

TITLE: Mutual fund records

(continued)

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. Under U.C.A. § 63A-12-115, the Utah Department of Commerce hereby discloses this record series does not contain personal identifying information ("PII").

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.

Computer data files: Retain in Office for 2 years and then delete.

APPRAISAL:

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

AGENCY: Department of Commerce. Division of Securities

SERIES: 80747

TITLE: Press releases

(continued)

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. Personal Identifying Information (PII) that may be contained within Division primary audit files: These files contain vulnerable adult reports and other information obtained from broker-dealers and agents, investment advisers and investment adviser representatives, during securities audits and reporting, name, DOB, SSN, personal address, personal email, financial account information, employee records, customer complaints. Purpose for which Primary Audit Files is Collected: 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 3 years and then transfer to State

AGENCY: Department of Commerce. Division of Securities

SERIES: 24583

TITLE: Primary audit files

(continued)

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.

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). Under U.C.A. § 63A-12-115, the Utah Department of Commerce hereby discloses this record series does not contain personal identifying information ("PII").

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. Personal Identifying Information (PII) that may be contained within Division registration by qualification issuers' files: issuer name, phone number, business address, email address, bank statements, bank's report of escrow, bylaws of organization. Purpose for which Registration by Qualification Issuers' Files is Collected: The Division collects registration by qualification issuers' files to comply with state statute.

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

AGENCY: Department of Commerce. Division of Securities

SERIES: 80727

TITLE: Registration by qualification for issuers

(continued)

State Records Center for 9 years and then transfer to State Archives.

Computer data files: Retain in Office permanently.

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. Under U.C.A. § 63A-12-115, the Utah Department of Commerce hereby discloses this record series does not contain personal identifying information ("PII").

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.

Computer data files: Retain in Office for 6 years and then delete.

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: 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. Personal Identifying Information (PII) that may be contained within Division secondary trading exemptions: issuer name, phone number, business address, email address, financial information, CPA reports. Purpose for which Secondary Trading Exemptions is Collected: The Division collects secondary trading exemptions to comply with state statute.

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.

AGENCY: Department of Commerce. Division of Securities

SERIES: 80733

TITLE: Secondary trading exemptions

(continued)

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

Computer data files: Retain in Office for 7 years and then delete.

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, business 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. Under U.C.A. § 63A-12-115, the Utah Department of Commerce hereby discloses this record series does not contain personal identifying information ("PII").

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.

Computer data files: 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.

AGENCY: Department of Commerce. Division of Securities

SERIES: 80739

TITLE: Securities agents record card file

(continued)

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. Personal Identifying Information (PII) that may be contained within Division uniform limited offering exemptions: issuer name, phone number, business address, email address, financial information, CPA reports. Purpose for which Uniform Limited Offering Exemptions is Collected: The Division collects uniform limited offering exemptions to comply with state and federal statute.

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.

AGENCY: Department of Commerce. Division of Securities

SERIES: 80735

TITLE: Uniform limited offering exemption files

(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: 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)). Under U.C.A. § 63A-12-115, the Utah Department of Commerce hereby discloses this record series does not contain personal identifying information ("PII").

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.

Computer data files: Retain in Office for 6 years.

APPRAISAL:

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

AGENCY: Department of Commerce. Division of Securities

SERIES: 22622

TITLE: Unit investment trust records

(continued)

PRIMARY DESIGNATION:

Public