

SENATE No. 1900

The Commonwealth of Massachusetts

PRESENTED BY:

Rebecca L. Rausch

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act regarding information governance.

PETITION OF:

NAME:

Rebecca L. Rausch

DISTRICT/ADDRESS:

Norfolk, Bristol and Middlesex

SENATE No. 1900

By Ms. Rausch, a petition (accompanied by bill, Senate, No. 1900) of Rebecca L. Rausch for legislation to regard information governance. State Administration and Regulatory Oversight.

The Commonwealth of Massachusetts

In the One Hundred and Ninety-First General Court
(2019-2020)

An Act regarding information governance.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Section 7 of Chapter 4 of the General Laws is hereby amended in paragraph
2 the twenty-sixth by inserting the following subclause:-

3 (k) protected by the attorney-client privilege, the work product doctrine, or other
4 doctrinal protection from disclosure;

5 SECTION 2. Chapter 66 of the General Laws is hereby amended by adding the following
6 section:

7 Section 2. (a) For purposes of this section, the term “information governance plan” or “IG
8 plan” shall mean a comprehensive set of protocols for the efficient retention and routine disposal
9 of documents and data existing in any format or medium, whether or not said documents and
10 data are deemed public records as defined in chapter 4, section 7, clause twenty-sixth.

11 (b) Each agency and municipality subject to the requirements of this chapter with regard
12 to public records shall create, implement, maintain, and enforce a comprehensive information

13 governance plan, including, at minimum, protocols for: storage, naming, privacy, security,
14 routine disposal and methods for halting that disposal when necessary, and appropriate sharing of
15 documents and data existing in any format or medium.

16 (c) The IG plan shall comply with the state records retention schedule published and
17 maintained by the secretary of the commonwealth.

18 (d) The IG plan shall itself be a public record, provided that any portions thereof
19 protected from disclosure by one of the exemptions set forth in chapter 4, section 7, clause
20 twenty-sixth of the General Laws may be redacted prior to production.

21 (e) The Attorney General shall enforce the provisions of this section.