**24:52:11:05.  Destruction authorized if archivist fails to make recommendation.** Local government agencies may destroy the records for which petition to destroy has been made if the archivist does not recommend preserving the records within the allotted 30-day period, the archivist is notified according to § 24:52:11:04, and the Records Destruction Board has granted exclusive or continuous authorization as required in SDCL 1-27-19.

**Source:** 3 SDR 15, effective September 6, 1976; 11 SDR 96, 11 SDR 112, effective July 1, 1985; 18 SDR 126, effective February 3, 1992; transferred from § 24:51:01:05, January 23, 1994.

**General Authority:** SDCL 1-18C-12.

**Law Implemented:** SDCL 1-18C-5, 1-18C-7.

**Cross-References:**

Destruction or impairment of public record, SDCL 22-11-24.

Disposal of records permitted only as authorized by state law, SDCL 1-27-10.

Records Destruction Board to supervise destruction of records, SDCL 1-27-11.

Records management programs of local governments, SDCL 1-27-18.

Destruction of ballots and pollbooks, SDCL 12-20-31.

**Attorney General's Opinions:** County records may only be destroyed in accordance with state law, 1959-60 AGR 319; Authority of state Records Destruction Board, AGR 69-45; Destruction of obsolete municipal bonding records, AGR 72-53; Clerk of courts may destroy original copies of microfilmed records with permission of Records Destruction Board, AGR 74-2; Procedure for destruction of microfilmed records, AGR 76-42.