



## State of Wisconsin's Towns and Villages email requirements.

Wisconsin towns and villages **must retain and archive emails** that relate to public business under the state's Public Records Law.

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### Key Points on Email Archiving

#### 1. Content, Not Medium, Defines Public Record

If an email—regardless of whether it's sent from a personal or government account—relates to the conduct of public business, it becomes a **public record** and must be retained and disclosed upon request

#### 2. Retention Periods Apply

- Most public records, including emails, have a **minimum seven-year retention requirement**, unless a shorter or longer period is specified under an approved schedule
- Those retention schedules come from the Wisconsin Public Records Board's General Records Schedule (WMRS). Local governments must formally adopt them via ordinance to make them official

#### 3. Email Management Practices

The Public Records Board recommends using a “**decision tree**” to determine whether an email should be retained as a public record, and for how long ([publicrecordsboard.wi.gov](http://publicrecordsboard.wi.gov)).

#### 4. Archival Custody & Disclosure

Local governments must implement policies ensuring:

- Emails are accessible throughout their retention period,
- Proper disposition (including destruction or archiving) is followed, and
- Responses are provided for records requests ([publicrecordsboard.wi.gov](http://publicrecordsboard.wi.gov)).

#### 5. What This Means for Municipalities

- **All emails relevant to governmental business** must be preserved, retrievable, and disclosed as needed.
- **Purely personal emails** (e.g., personal messages unrelated to official duties) **are exempt**.
- **Retention must follow state-approved schedules**, with **at least seven years** unless otherwise specified.
- **Formal adoption** of the General Records Schedule is required before using it in local policy.
- **Destruction requires notice** to the State Historical Society—unless waived—and may require Department of Revenue approval for certain record types ([publicrecordsboard.wi.gov](http://publicrecordsboard.wi.gov))