



Records Retention and Logging Guidelines for AI Use

Disclaimer: This article is for general educational purposes and does not constitute legal advice. City officials should consult their city attorney and city clerk before establishing retention schedules or logging workflows for AI-generated materials.

Florida cities have clear legal obligations regarding public records. What's newer is how those obligations apply to AI. When a staff member uses a chatbot to draft a memo, runs meeting notes through a transcription tool, or asks an AI platform to summarize public comments, records are getting created. Cities need a plan for managing them.

This guide walks through what to keep, what to log, how long to hold it, and who should be responsible.

Why AI Creates Records That Need Managing

Florida's public records law, [Chapter 119](#), applies to any document made or received in connection with official business, regardless of format or how it was created. AI-generated content is not exempt. Prompts, draft outputs, final documents, chat logs, and decision-support summaries can all qualify as public records depending on how they're used.

The challenge is that AI content doesn't always fit neatly into existing records categories. A chatbot conversation that helped a staff member research a policy question looks different from a final council memo, but both may be subject to disclosure. Cities that haven't thought through the categories will end up making those calls on the fly, often under the pressure of a public records request.

Getting ahead of those decisions is the better option.

Three Categories of AI Records

A practical starting point is sorting AI materials into three buckets. These map to existing Florida records guidance under the [GSI-SL schedule](#) and [Rule 1B-24.003 F.A.C.](#)

- 1. Transitory materials:** Quick prompts, test runs, exploratory queries with no bearing on an official decision or document. These function like transitory messages under Florida records law. *Retention: Delete when no longer needed for the purpose created.*

2. **Working drafts:** AI-generated drafts that feed into official communications, agendas, reports, or public-facing materials, but haven't been finalized or approved. *Retention: Keep until the final approved version is issued.*
3. **Decision-supporting outputs:** AI summaries, analyses, or recommendations that directly informed an official action, permit decision, budget choice, or similar record. These are supporting documentation. *Retention: Retain under the same schedule as the related case or underlying action.*

Any AI output that becomes part of a final official record should be kept on the same schedule as that record. When in doubt, save first and sort later.

What to Log

The goal of logging is to keep enough of a paper trail to respond to public records requests, demonstrate accountability, and reconstruct how an AI tool was used in connection with an official decision. Cities don't need to capture every keystroke, but they do need a consistent approach.

At minimum, consider logging:

- Platform and tool used (name, version if available)
- Date and department of the AI interaction
- General purpose of the request (drafting communications, summarizing public comments, reviewing a document)
- Whether the output was used in an official document or decision, and if so, which one
- Who reviewed and approved the final output before official use
- Whether any sensitive or confidential data was involved in the prompt or output

For higher-stakes uses, such as AI tools informing permitting, enforcement, or eligibility decisions, logs should be more detailed and held longer. Treat those records the way you'd treat any supporting documentation for that type of decision.

Who Is Responsible

Assigning clear ownership of AI-created records is easy to overlook, and it's often where problems show up.

- **City clerk (or official records custodian):** Owns AI workspaces and logs, including deciding where AI chat histories live, how they're exported, and how records requests involving AI materials get routed and tracked.
- **Department heads:** Make sure staff in their departments follow the city's AI records policy and flag any AI-assisted outputs that became part of official decisions.

- **IT Department:** Documents where AI tools store data, whether the platform automatically deletes outputs, and what export options exist. If a vendor auto-deletes chat logs after 30 days, that's a problem when those logs are public records.
- **City attorney:** Reviews any records requests involving AI-generated materials, particularly if there's a question about whether an output is exempt or what the correct retention category is.

Platform and Vendor Considerations

Your city's logging obligations don't disappear just because a vendor's platform makes them hard to meet. Before adopting any AI tool, run through these questions:

- Does the platform retain logs of prompts and outputs, and for how long?
- Can those logs be exported in a usable format for records requests?
- Does the vendor's default data retention policy conflict with your city's legal obligations?
- Who has access to the logs, and does that access need to be restricted?
- If the platform changes its retention settings or shuts down, what happens to your city's records?

Add specific data retention and export requirements to any AI-related contract. A clause requiring the vendor to retain logs for at least as long as your applicable records schedule isn't standard, but it's worth asking for.

Responding to Public Records Requests Involving AI

When a request comes in asking for AI-related materials, the process is the same as any other records request, with a few extra considerations:

- Identify where the relevant AI interactions occurred and whether logs were retained.
- Determine whether the output was transitory, a working draft, or decision-supporting documentation.
- Assess whether any exemptions apply. (Note: broad exemptions are rare. §119.0725 covers certain security information, and bona fide trade secret protections may apply in narrow cases.)
- Coordinate with the city attorney before withholding any AI-related materials on exemption grounds.
- Document the response and any determinations made about the records' status.

If your city can't locate AI records because no logging is in place, fix that immediately.

Building Your Retention Policy: A Starting Checklist

If your city is starting from scratch, work through these steps:

- Inventory which AI tools are currently in use across departments.
- Assign a records custodian with clear responsibility for AI-generated materials.
- Adopt a three-category framework (transitory, working drafts, decision-supporting) with retention timelines mapped to GSI-SL.
- Establish a minimum logging standard for all official AI use.
- Review vendor contracts for data retention and export terms.
- Train staff on what to save, what to delete, and how to flag AI outputs that were used in official decisions.
- Coordinate with the city clerk and IT to build export and retention workflows that can actually be executed.
- Review the policy annually, or whenever a significant new AI tool is adopted.

Sources: [Florida Statutes Ch. 119](#); [GSI-SL General Records Schedule for State and Local Government Agencies](#); [Rule 1B-24.003, F.A.C.](#)