

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

Act 2249 of the Regular Session

1 State of Arkansas
2 85th General Assembly
3 Regular Session, 2005
4

As Engrossed: H3/24/05

A Bill

HOUSE BILL 2849

5 By: Representative Schulte
6
7

For An Act To Be Entitled

9 AN ACT TO PROTECT MILITARY RECORDS FILED WITH A
10 COUNTY RECORDER FROM IDENTITY THEFT; AND FOR
11 OTHER PURPOSES.
12

Subtitle

13 AN ACT TO PROTECT MILITARY RECORDS FILED
14 WITH A COUNTY RECORDER FROM IDENTITY
15 THEFT.
16
17
18

19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
20

21 SECTION 1. Arkansas Code § 14-2-102 is amended to read as follows:

22 14-2-102. Records of military discharges.

23 (a) It shall be the duty of the quorum court in each county of the
24 State of Arkansas to appropriate from any moneys in the general fund any sum
25 as may be necessary, not exceeding in any county the sum of one hundred
26 dollars (\$100), for providing a suitable record book for the purpose of
27 recording military certificates of discharge.

28 (b) The record shall contain a complete copy of discharges and shall
29 contain an index of the names of the discharged soldiers, sailors, airmen,
30 marines, members of the Coast Guard, merchant marines, members of the Women's
31 Army Auxiliary Corps, Women's Auxiliary Volunteer for Emergency Service,
32 nurses, and members of all other branches of the armed forces with reference
33 to page, alphabetically arranged.

34 (c)(1) A military service discharge record or DD Form 214, the
35 Certificate of Release or Discharge from Active Duty of the United States



1 Department of Defense, filed with the county recorder for a veteran
2 discharged from service less than seventy (70) years from the current date
3 *shall be confidential, kept in a secure location, and may be viewed or*
4 *reproduced only by:*

5 (A) The veteran;

6 (B) The veteran's spouse or child;

7 (C) A person with a signed and notarized authorization
8 from the veteran;

9 (D) A county or state veterans' service officer who is
10 assisting the veteran or the veteran's family with a veteran's benefit
11 application; or

12 (E) A person authorized by a court to view or copy the
13 military service discharge record or DD Form 214 upon presentation of a court
14 order.

15 (2) The county recorder shall record the names and addresses of
16 all persons viewing or copying a military service discharge record or DD Form
17 214 under this subsection.

18 (3) No fee shall be charged for reproduction costs under this
19 subsection.

20 (4) Upon petition by a veteran or other requestor eligible to
21 view the records who has a notarized authorization from the veteran, the
22 court may order the removal of the records from the county recorder's record
23 book.

24 (d)(1) A military service discharge record for a veteran discharged
25 from service more than seventy (70) years from the current date and filed
26 with the county recorder shall be a public record.

27 (2) No fee shall be charged for reproduction cost under this
28 subsection.

29 (e)(1) The county recorder may maintain a record book that contains
30 any of the following information about veterans for public record:

31 (A) Name;

32 (B) Rank;

33 (C) Unit of military service;

34 (D) Dates of military service;

35 (E) Medals conferred upon veterans; and

36 (F) Awards conferred upon veterans.

1 (2) If the county recorder does not maintain a record book, then
2 upon specific request for the information, the county recorder shall review a
3 military service discharge record or DD Form 214 and provide only the
4 information in subdivision (e)(1) of this section to the requestor, without
5 allowing the requestor to review the military service discharge record or DD
6 Form 214.

7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36

/s/ Schulte

APPROVED: 4/13/2005

1