

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.

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

A Bill

HOUSE BILL 2849

4
5 By: Representative Schulte
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For An Act To Be Entitled

8
9 AN ACT TO PROTECT MILITARY RECORDS FILED WITH A
10 COUNTY RECORDER FROM IDENTITY THEFT; AND FOR
11 OTHER PURPOSES.
12

Subtitle

13
14 AN ACT TO PROTECT MILITARY RECORDS FILED
15 WITH A COUNTY RECORDER FROM IDENTITY
16 THEFT.
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19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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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
36 Department of Defense, filed with the county recorder for a veteran



1 discharged from service less than seventy (70) years from the current date
2 shall be confidential and may be viewed or reproduced only by:

- 3 (A) The veteran;
- 4 (B) The veteran's spouse or child;
- 5 (C) A person with a signed and notarized authorization
6 from the veteran;

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

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

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

16 (3) No fee shall be charged for reproduction costs under this
17 subsection.

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

21 (2) No fee shall be charged for reproduction cost under this
22 subsection.

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

- 25 (A) Name;
- 26 (B) Rank;
- 27 (C) Unit of military service;
- 28 (D) Dates of military service;
- 29 (E) Medals conferred upon veterans; and
- 30 (F) Awards conferred upon veterans.

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

1 (f)(1) Upon notarized request by a veteran, the county recorder shall
2 mark out the Social Security number of the veteran on all records filed by
3 the veteran in a manner that makes the Social Security number not visible.

4 (2) The notarized request shall be placed in the veteran's file
5 with the records.

6 (3) A copy of the notarized request shall be given to the
7 veteran and any requestor eligible to view the records.

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