

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  
4

*As Engrossed: H3/24/05*

# A Bill

HOUSE BILL 2849

5 By: Representative Schulte  
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## 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.  
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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, kept in a secure location, and may be viewed or*  
3 *reproduced only by:*

4 (A) The veteran;

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

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

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

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

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

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

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

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

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

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

30 (A) Name;

31 (B) Rank;

32 (C) Unit of military service;

33 (D) Dates of military service;

34 (E) Medals conferred upon veterans; and

35 (F) Awards conferred upon veterans.

36 (2) If the county recorder does not maintain a record book, then

1 upon specific request for the information, the county recorder shall review a  
2 military service discharge record or DD Form 214 and provide only the  
3 information in subdivision (e)(1) of this section to the requestor, without  
4 allowing the requestor to review the military service discharge record or DD  
5 Form 214.

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*/s/ Schulte*

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