

FIRST REGULAR SESSION

HOUSE BILL NO. 72

92ND GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES LUETKEMEYER (Sponsor), STEVENSON, WILSON (130),
SCHLOTTACH, BEARDEN, REINHART, BEHNEN, SHOEMAKER (8), JETTON,
SMITH (14) AND COOPER (120).

Pre-filed December 9, 2002, and copies ordered printed.

TED WEDEL, Chief Clerk

0270L.011

AN ACT

To repeal section 59.480, RSMo, and to enact in lieu thereof one new section relating to recording documents, with a penalty provision.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Section 59.480, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 59.480, to read as follows:

59.480. **1.** Any person who is the holder of a discharge, separation notice, certificate of service, report of transfer or discharge, or any other notice or document which is evidence of severance or transfer from military service and which contains a service record from the armed forces of the United States may demand that such document be recorded by the recorder of deeds of any county in this state, including the recorder of deeds of the city of St. Louis, and it shall be the duty of the recorder of deeds to record the document without any fee or compensation therefor.

2. Any document recorded pursuant to subsection 1 of this section shall for a period of fifty years following its recording be exempt from the provisions of chapter 610, RSMo. During that fifty-year period, it shall be unlawful for any person to permit inspection of any such record, to disclose information contained in any such record, or to issue a copy of all or any part of such record except as authorized by this section or by order of a court of competent jurisdiction.

3. Upon presentation of proper identification, any of the following persons may examine a record filed pursuant to this section or obtain free of charge a copy or certified copy of all or part of such record:

(1) The person who is the subject of the record;

18 **(2) The spouse or next of kin of the person who is the subject of the record;**

19 **(3) A person named in an appropriate power of attorney executed by the person**
20 **who is the subject of the record;**

21 **(4) The administrator, executor, guardian, or legal representative of the person who**
22 **is the subject of the record; or**

23 **(5) An attorney for any person specified in subdivisions (1) to (4) of subsection 3**
24 **of this section.**

25 **4. Records kept pursuant to this section shall not be reproduced or used in whole**
26 **or in part for any commercial or speculative purposes.**

27 **5. Any individual, agency or court which obtains information pursuant to this**
28 **subsection shall not disseminate or disclose such information or any part thereof except as**
29 **authorized in this section or otherwise by law.**

30 **6. Violation of any of the provisions of this section is a class A misdemeanor.**