

HCS HB 72 -- MILITARY RECORDS

SPONSOR: Shoemaker, 8 (Luetkemeyer)

COMMITTEE ACTION: Voted "do pass" by the Committee on Homeland Security and Veterans Affairs by a vote of 17 to 0.

This substitute requires the county recorder of deeds to accept original certified military discharge documents for filing. The recorder may refuse to accept any document that appears to have alterations or erasures. The recorder must maintain a separate open public index of the documents using only the name of the subject of the military document. The substitute sets forth the parties who may have access to the record, including the individual, certain relatives, and legal representatives. A notarized request for any document must be made to the recorder. The Recorders' Association of Missouri is required to develop a request form for the military documents. A record of all requests must be kept by the recorder for five years. The provision of the substitute also applies to the City of St. Louis.

The substitute repeals current law requiring the recorder to maintain a list of all military discharges and requiring the records to be open to the public. The substitute also prohibits any reproduction or use of military discharge documents for any commercial or speculative purpose.

FISCAL NOTE: Not available at time of printing.

PROPOSERS: Supporters say that military records could be used by persons trying to create an identity and should be closed. California has had a problem with identity theft using military discharge records. Other states have limited access to these records.

Testifying for the bill were Representative Luetkemeyer; Missouri Veterans Commission; Submarine Veterans; Veterans of Foreign Wars; and Recorders' Association of Missouri.

OPPOSERS: Those who oppose the bill say that all records in the office of the recorder of deeds should be public. The recorder could keep a log of persons accessing records.

Testifying against the bill was Missouri Press Association.

Steve Bauer, Legislative Analyst