



**House
Legislative
Analysis
Section**

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ALLOW PUBLIC ACCESS TO VETERANS' DISCHARGE RECORDS

House Bill 5228

Sponsor: Rep. David Anthony

**Committee: Senior Citizens and Veterans
Affairs**

Complete to 2-20-96

A SUMMARY OF HOUSE BILL 5228 AS INTRODUCED 10-10-95

Under current law, county clerks are required to record the military discharges of members of the armed forces and members of women's auxiliaries. The military service discharge records are confidential and may be viewed or copied only by the veteran, his or her heirs, or a person having the veteran's permission. A copy of the service discharge must also be given to a veteran's service officer, the Michigan Veterans Trust Fund, or a county Department of Veterans' Affairs employee when access to the record is needed to assist a veteran, or his or her spouse or dependents, in applying for veterans' benefits. House Bill 5228 would, among other things, allow for full public access to military service records over 70 years old and limited access to records under 70 years old. The bill would define "70 years old" as meaning "70 years from the date of the first discharge from military service of the individual identified in the record".

More specifically, the bill would allow each county to appoint one or more clerk advocates to serve without compensation who could do any of the following:

- * Review discharge records less than 70 years old and make available to the public only the name, rank, unit of military service, dates of military service, and any medals and awards conferred on the veteran.

- * For records at least 70 years old, make information in the record available to the general public.

- * Provide access to view or reproduce service records, in accordance with provisions of the Records Media Act (MCL 24.401 to 24.403), to a veteran; his or her spouse or heirs; a person having the veteran's permission; or a veteran's service officer, the Michigan Veterans Trust Fund, or a county Department of Veterans' Affairs employee when access to the record is needed to assist a veteran, or his or her spouse or dependents, in applying for veterans' benefits. (Note: The Records Media Act provides, among other things, that a governmental entity or official acting in his or her official capacity may reproduce a record by photograph, photocopy, microcopy, or optical storage disc.)

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* Charge the person requesting the information, except a veteran or his or her family member, the actual costs of reproducing the information from the record.

MCL 35.32

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