

HOUSE AMENDMENTS TO RESOLVE CONFLICTS TO A-ENGROSSED SENATE BILL 618

By COMMITTEE ON VETERANS AND EMERGENCY SERVICES

June 1

1 On page 1 of the printed A-engrossed bill, line 3, before “and” insert “repealing section 14,
2 chapter 41, Oregon Laws 2009 (Enrolled Senate Bill 96);”.

3 On page 7, after line 9, insert:

4 “**SECTION 2a.** If Senate Bill 96 becomes law, ORS 408.420, as amended by section 2 of this 2009
5 Act, is amended to read:

6 “408.420. Each county clerk shall maintain in the office a special book in which the county clerk
7 shall, upon request, record the final discharge of any [*military*] veteran. [*No*] **A** recording fee
8 [*shall*] **may not** be collected when the [*military*] veteran requesting the record is an actual resident
9 of the county or was a resident at the time of entrance into the service of the United States. In all
10 other cases a legal fee shall be charged. There shall be kept in connection with the record an al-
11 phabetical index referring to the name of the [*military*] veteran whose name appears in each dis-
12 charge paper so recorded. Books that are necessary for the recording of the discharge papers shall
13 be paid for by the several counties in the manner provided for paying other claims against the
14 county.

15 “**SECTION 2b. Section 14, chapter 41, Oregon Laws 2009 (Enrolled Senate Bill 96)**
16 **(amending ORS 408.420), is repealed.”**.

17 After line 31, insert:

18 “**SECTION 3a.** If Senate Bill 96 becomes law, section 3 of this 2009 Act is amended to read:

19 “**Sec. 3.** (1) Each county clerk who receives a request to inspect [*military*] veteran discharge
20 papers that are recorded under ORS 408.420 shall produce the recorded discharge papers for in-
21 spection if:

22 “(a) The request for inspection is made in writing;

23 “(b) The request sets forth the name, address and telephone number of the requester;

24 “(c) The request sets forth the name and the date of birth or the last four digits of the Social
25 Security number of the [*military*] veteran; and

26 “(d) The request is made by:

27 “(A) The [*military*] veteran or the spouse, legal guardian or personal representative of the [*mil-*
28 *itary*] veteran;

29 “(B) A county veterans’ service officer appointed under ORS 408.410;

30 “(C) A representative of the Department of Veterans’ Affairs; or

31 “(D) A licensed funeral establishment seeking to ascertain if a decedent was a veteran for the
32 purpose of obtaining veteran’s burial benefits.

33 “(2) This section does not create a cause of action and may not be asserted as the basis of a
34 per se negligence claim.

35 “(3) Each county clerk may adopt additional policies in order to protect recorded discharge pa-

1 pers from malicious or unlawful use and policies regarding copying of recorded discharge papers.

2 “(4) Each county clerk shall maintain in the records of the county clerk a copy of each request
3 for inspection of recorded discharge information for a period of at least 10 years after the date the
4 request is received by the county clerk.

5 “**SECTION 3b. The repeal of section 14, chapter 41, Oregon Laws 2009 (Enrolled Senate**
6 **Bill 96) (amending ORS 408.420), by section 2b of this 2009 Act and the amendments to ORS**
7 **408.420 and section 3 of this 2009 Act by sections 2a and 3a of this 2009 Act become operative**
8 **on January 1, 2010.”**

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