

SENATE AMENDMENTS TO SENATE BILL 618

By COMMITTEE ON JUDICIARY

May 1

1 On page 1 of the printed bill, line 2, delete “amending ORS 192.502;” and insert “creating new
2 provisions; amending ORS 192.502 and 408.420;”.

3 On page 6, line 37, after “(35)” insert “Except as authorized by section 3 of this 2009 Act,”.

4 After line 38, insert:

5 “**SECTION 2.** ORS 408.420 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 [*war*] **military** veteran. No recording fee shall
8 be collected when the [*war*] **military** veteran requesting [*such*] **the** record is an actual resident of
9 [*said*] **the** county or was [*such*] a resident at the time of entrance into the service of the United
10 States. In all other cases a legal fee shall be charged. There shall be kept in connection with
11 [*such*] **the** record[,] an alphabetical index referring to the name of the [*soldier, sailor or marine*]
12 **military veteran** whose name appears in each discharge paper so recorded. [*Such*] Books [*as*] **that**
13 are necessary for the recording of the discharge papers shall be paid for by the several counties in
14 the manner provided for paying other claims against the county.

15 “**SECTION 3. (1) Each county clerk who receives a request to inspect military veteran**
16 **discharge papers that are recorded under ORS 408.420 shall produce the recorded discharge**
17 **papers for inspection if:**

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

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

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

22 “(d) **The request is made by:**

23 “(A) **The military veteran or the spouse, legal guardian or personal representative of the**
24 **military veteran;**

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

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

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

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

31 “(3) **Each county clerk may adopt additional policies in order to protect recorded dis-**
32 **charge papers from malicious or unlawful use and policies regarding copying of recorded**
33 **discharge papers.**

34 “(4) **Each county clerk shall maintain in the records of the county clerk a copy of each**
35 **request for inspection of recorded discharge information for a period of at least 10 years af-**

1 **ter the date the request is received by the county clerk.”.**

2 In line 39, delete “2” and insert “4”.

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