

By: Hupp

H.B. No. 142

A BILL TO BE ENTITLED

AN ACT

1
2 relating to limiting access to military discharge records recorded
3 with the county clerk.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. Section 192.002, Local Government Code, is
6 amended by adding Subsections (c)-(e) to read as follows:

7 (c) A discharge record recorded under this section may be
8 inspected only by, and a copy of the record may be released only to:

9 (1) the veteran who is the subject of the record or the
10 legal guardian or personal representative of the estate of the
11 veteran;

12 (2) the spouse of the veteran;

13 (3) a child or parent of the veteran; or

14 (4) a governmental entity.

15 (d) An individual described by Subsection (c) must present
16 two forms of identification to inspect or obtain a copy of a
17 discharge record, one of which must be a social security card and
18 one of which must be a driver's license or other state-issued card.

19 (e) A governmental entity that obtains a discharge record
20 under this section may use the record only in connection with the
21 purpose for which the governmental entity obtained the record and,
22 notwithstanding other law, may not allow members of the public to
23 inspect or obtain a copy of the record.

24 SECTION 2. This Act takes effect immediately if it receives

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1 a vote of two-thirds of all the members elected to each house, as
2 provided by Section 39, Article III, Texas Constitution. If this
3 Act does not receive the vote necessary for immediate effect, this
4 Act takes effect September 1, 2003.