

By: Wentworth

S.B. No. 85

A BILL TO BE ENTITLED

AN ACT

1
2 relating to excepting military discharge records from required
3 public disclosure and limiting the persons to whom the information
4 may be disclosed.

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

6 SECTION 1. Subchapter C, Chapter 552, Government Code, is
7 amended by adding Section 552.140 to read as follows:

8 Sec. 552.140. MILITARY DISCHARGE RECORDS. (a) A military
9 veteran's Department of Defense Form DD-214 or other military
10 discharge record that has been recorded with or that is otherwise in
11 the possession of a governmental body is excepted from required
12 public disclosure.

13 (b) A governmental body may release the form or other
14 military discharge record only:

15 (1) to the veteran who is the subject of the form or
16 record; or

17 (2) if the veteran is deceased, to a survivor of the
18 veteran who may be eligible to claim any type of benefit by virtue
19 of the veteran's service in the military.

20 SECTION 2. This Act takes effect immediately if it receives
21 a vote of two-thirds of all the members elected to each house, as
22 provided by Section 39, Article III, Texas Constitution. If this
23 Act does not receive the vote necessary for immediate effect, this
24 Act takes effect September 1, 2003.