

BILL ANALYSIS

Senate Research Center
78R1416 JRD-D

S.B. 81
By: Zaffirini
Veteran Affairs & Military Installations
3/7/2003
As Filed

DIGEST AND PURPOSE

Currently, federal law encourages veterans to file the military discharge document, which includes military service information and personal identification numbers, with their counties of origin. Under federal law these documents are considered confidential, but under state law they are considered open records. As an open record which anyone can obtain, concerns have arisen regarding identity theft. County clerks are being asked to return or destroy the documents, but current law prevents those actions. As proposed, S.B. 81 declares military discharge documents confidential and not subject to the Open Records Act.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 192.002, Local Government Code, by adding Subsection (c) to provide that a military discharge record recorded under this section is confidential and may be disclosed only in accordance with Section 552.023 (Special Right of Access to Confidential Information), Government Code.

SECTION 2. Effective date: upon passage or September 1, 2003.