

AMENDED IN SENATE JUNE 24, 2014

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

ASSEMBLY BILL

No. 2215

Introduced by Assembly Member Maienschein

February 20, 2014

An act to amend Section 27337 of the Government Code, relating to veterans.

LEGISLATIVE COUNSEL'S DIGEST

AB 2215, as amended, Maienschein. Veterans: recorded documents.

The California Public Records Act provides that the public records, as defined, of every state or local agency are open for inspection at all times during the office hours of the agency, that every person has a right to inspect any public record except as provided in the act, and that every agency, upon request, shall make copies of records available upon payment of fees to cover costs. The act authorizes any agency to withhold disclosure of requested public records pursuant to specific statutory exemptions or by demonstrating that on the facts of the particular case the public interest served by not making the record public clearly outweighs the public interest served by disclosure of the record.

Existing law establishes that the officers of a county include a county recorder, with specified duties, including the recording of various documents according to specified procedures.

Existing law requires that if any military veteran requests the recordation of any military discharge document, including a veteran's service form DD214, that the county recorder shall require the veteran to sign a form that acknowledges that the document becomes part of the official record of the county, and subject to inspection, as provided.

This bill would permit ~~persons~~ *a family member or legal representative of the veteran* authorized by law to receive a certified copy of those documents to request recordation of those documents on the same terms as a veteran.

By expanding the duties of county clerks, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 27337 of the Government Code, as added
2 by Section 2 of Chapter 301 of the Statutes of 2003, is amended
3 to read:

4 27337. (a) If any military veteran or any person authorized to
5 receive a certified copy of a record pursuant to *paragraph (2) of*
6 subdivision (b) of Section 6107 requests the recordation in any
7 county in this state of any military discharge document, including
8 a veteran’s service form DD214, the county recorder shall require
9 the person requesting the recordation to sign a form stating the
10 following:

11 “I, the undersigned, hereby acknowledge that I am informed that
12 by recording the attached military discharge document, all
13 information referenced within it becomes part of the official record
14 of this county, and that this information is open to inspection by
15 any person.”

16 _____
17 _____
18 Print Name Signature Date

19
20 (b) No copy of a recorded military discharge document may be
21 issued except as provided by Section 6107.

1 SEC. 2. If the Commission on State Mandates determines that
2 this act contains costs mandated by the state, reimbursement to
3 local agencies and school districts for those costs shall be made
4 pursuant to Part 7 (commencing with Section 17500) of Division
5 4 of Title 2 of the Government Code.

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