RECORD OF VETERANS' DISCHARGES
Act 83 of 1867

AN ACT to authorize and require county clerks to record the discharges of members of the armed forces of the United States; and to limit the disclosure of those discharge records.

History: 1867, Act 83, Imd. Eff. Mar. 23, 1867;—Am. 1944, 1st Ex. Sess., Act 2, Imd. Eff. Feb. 16, 1944;—Am. 1975, Act 126, Imd. Eff. July 1, 1975.

The People of the State of Michigan enact:

35.31 County record book for discharges from armed forces; provision.

Sec. 1. That the county clerks of the several counties in this state be and are hereby directed to procure, at the expense of the respective counties, suitable books in which to record discharges of members of the armed forces of the United States.

History: 1867, Act 83, Imd. Eff. Mar. 23, 1867;—CL 1871, 545;—How. 980;—CL 1897, 1704;—CL 1915, 1074;—CL 1929, 896;—Am. 1944, 1st Ex. Sess., Act 2, Imd. Eff. Feb. 16, 1944;—CL 1948, 35.31.

35.32 County clerk to record and index discharges from armed forces; confidentiality; persons entitled to copies of discharge records; compensation of clerk; sworn statement as to discharges recorded; "seventy years old" defined.

Sec. 2. (1) A county clerk shall enter upon the record book all discharges of soldiers, sailors, marines, nurses, and members of women's auxiliaries that may be presented to the clerk for recording. The county clerk shall fully index the recorded information, and arrange the names of soldiers, sailors, marines, nurses, and members of women's auxiliaries alphabetically. The military service discharge record of a person is confidential and may be viewed or copied only pursuant to subsection (2).

(2) Each county clerk may do 1 or more of the following:

(a) Make available to the general public information in a record described in subsection (1) that is not less than 70 years old and that includes only the name, rank, unit of military service, dates of military service, and medals and awards conferred upon each individual identified in that record.

(b) Pursuant to the records media act, 1992 PA 116, MCL 24.401 to 24.403, provide for the viewing or reproduction of a military service discharge record of a veteran by any of the following:

(*i*) The veteran.

(*ii*) A person with the veteran's permission.

(*iii*) The surviving heirs of the veteran.

(*iv*) A veteran's service officer, the Michigan veterans trust fund, or a person employed by the county department of veterans' affairs who provides counseling for veterans, if access to that record is necessary to aid the veteran, or the surviving spouse or a dependent of the veteran in applying for benefits available to the veteran.

(c) Charge members of the public for discharge records of veterans discharged 70 or more years ago. However, a person described in subdivision (b) shall not be charged for the discharge records of that veteran.

(3) Counties in which the clerk is not on a salary basis shall compensate the clerk for the recording of a discharge under subsection (1) at a rate of not less than 50 cents nor more than $1.00, as directed by the county board of commissioners, for each discharge recorded. The clerk shall make a sworn statement at the end of every 3 months in each calendar year as to the number of discharges recorded, and file that statement with the county treasurer.

(4) As used in this section, "70 years old" means 70 years from the date of the first discharge from military service of the individual identified in the record described in subsection (1).

History: 1867, Act 83, Imd. Eff. Mar. 23, 1867;—CL 1871, 546;—How. 981;—CL 1897, 1705;—CL 1915, 1075;—Am. 1919, Act 374, Imd. Eff. May 13, 1919;—CL 1929, 897;—Am. 1944, 1st Ex. Sess., Act 2, Imd. Eff. Feb. 16, 1944;—CL 1948, 35.32;—Am. 1963, Act 49, Eff. Sept. 6, 1963;—Am. 1975, Act 126, Imd. Eff. July 1, 1975;—Am. 1977, Act 49, Imd. Eff. July 5, 1977;—Am. 1998, Act 31, Imd. Eff. Mar. 18, 1998.

35.35 County record book for discharges from armed forces; certified copy admissible as evidence.

Sec. 5. Certified copies of such record, under the seal of the circuit court of the county in which such discharge is recorded, shall be received as evidence of the contents of the original discharge, in all cases where such evidence may be required.

History: 1867, Act 83, Imd. Eff. Mar. 23, 1867;—CL 1871, 549;—How. 984;—CL 1897, 1708;—CL 1915, 1078;—CL 1929, 898;

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—CL 1948, 35.35.

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