

## **IC 10-17-2**

### **Chapter 2. County Recording of Military Discharge**

#### **IC 10-17-2-1**

##### **Book for recording**

Sec. 1. To provide a special and permanent record of discharges from a branch of the military service of the United States of members of a branch of the service who are residents of Indiana, the county recorder shall procure a sufficiently large and well bound book of good material in which the county recorder shall record all discharges.

*As added by P.L.2-2003, SEC.8.*

#### **IC 10-17-2-2**

##### **Recording; index**

Sec. 2. A book providing for the recording of discharges from the army, navy, or any other branch of the service must consist of printed forms in blank, similar to and in conformity with the wording of the forms of discharge used by the United States government, the size of type being reduced to permit the printing of the form of the discharge on one (1) page of the record. Each book must be provided with an alphabetical index.

*As added by P.L.2-2003, SEC.8.*

#### **IC 10-17-2-3**

##### **Recorders; duties; fee prohibited**

Sec. 3. A fee may not be collected for recording a discharge under this chapter. The recorder shall immediately provide the discharged person with a certified copy of the discharge at no charge in accordance with IC 10-17-3-2.

*As added by P.L.2-2003, SEC.8.*

#### **IC 10-17-2-4**

##### **Person to whom a discharge record may be released; record maintained in separate, confidential, and secure file**

Sec. 4. (a) As used in this section, "photographic identification" means an identification document that:

- (1) shows the name of the individual to whom the document was issued;
- (2) shows a photograph of the individual to whom the document was issued;
- (3) includes an expiration date indicating that the document has not expired; and
- (4) was issued by the United States or the state of Indiana.

(b) A discharge record is not a public record under IC 5-14-3. A county recorder may provide a certified copy of a discharge record only to the following persons:

- (1) The veteran who is the subject of the discharge record if the veteran provides photographic identification.
- (2) A person who provides photographic identification that

identifies the person as a county or city service officer.

(3) A person who provides photographic identification that identifies the person as an employee of the Indiana department of veterans' affairs.

(4) A person who:

(A) is a funeral director licensed under IC 25-15; and

(B) assists with the burial of the veteran who is the subject of the discharge record;

if the person provides photographic identification and the person's funeral director license.

(5) If the veteran who is the subject of the discharge record is deceased, the spouse or next of kin of the deceased, if the spouse or next of kin provides photographic identification and a copy of the veteran's death certificate.

(6) The following persons under a court order, if the person provides photographic identification and a certified copy of the court order:

(A) The attorney in fact of the person who is the subject of the discharge record.

(B) The guardian of the person who is the subject of the discharge record.

(C) If the person who is the subject of the discharge record is deceased, the personal representative of the estate of the deceased.

(c) To the extent technologically feasible, a county recorder shall take precautions to prevent the disclosure of a discharge record filed with the county recorder before May 15, 2007. After May 14, 2007, a county recorder shall ensure that a discharge record filed with the county recorder is maintained in a separate, confidential, and secure file.

(d) Disclosure of a discharge record by the county recorder under this section is subject to IC 5-14-3-10.

*As added by P.L.174-2007, SEC.1.*