

good cause shown; limiting the provision by a clerk of a circuit court of a certified copy of the record of certain military discharge papers to certain persons ~~or in~~, in accordance with a subpoena or court order, or in certain circumstances to certain persons for good cause shown; defining a certain term; and generally relating to military discharge papers recorded and indexed by a clerk of a circuit court.

BY repealing and reenacting, with amendments,

Article – Courts and Judicial Proceedings

Section 2-207

Annotated Code of Maryland

(2002 Replacement Volume)

BY repealing and reenacting, without amendments,

Article – State Government

Section 10-611(e)

Annotated Code of Maryland

(1999 Replacement Volume and 2002 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article – Courts and Judicial Proceedings

2-207.

(a) FOR PURPOSES OF THIS SECTION, “PERSON IN INTEREST” HAS THE MEANING STATED IN § 10-611 OF THE STATE GOVERNMENT ARTICLE.

(B) The clerk of the circuit court of each county shall keep a book and record and index in the book the discharge papers of any person who:

- (1) At any time has served in the armed forces of the United States; and
- (2) Presents the discharge papers of the person for recording.

[(b)] (C) A clerk may not charge a fee for recording or indexing discharge papers.

[(c)] (D) The record kept by the clerk, (c) a certified copy of the record, is admissible in evidence in any court in the State.

(E) (1) A CLERK SHALL DENY INSPECTION OF THE BOOK, AND THE RECORD AND INDEX IN THE BOOK, DESCRIBED IN THIS SECTION ~~TO A PERSON~~ EXCEPT:

(I) TO A PARTY IN A CASE CIVIL, ADMINISTRATIVE, OR CRIMINAL PROCEEDING IN A FEDERAL OR STATE COURT OR GOVERNMENT AGENCY, OR THE PARTY'S ATTORNEY IN THE CASE, WHO PRESENTS EVIDENCE SATISFACTORY TO THE CLERK THAT THE INSPECTION IS RELATED TO ADMITTING THE RECORD OR A CERTIFIED COPY OF THE RECORD IN EVIDENCE IN ~~A CASE~~ THE PROCEEDING; ~~OR~~