

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2001**

**SESSION LAW 2002-96
HOUSE BILL 1627**

AN ACT TO PERMIT THE REMOVAL OF FILED DD FORM 214 AND OTHER DISCHARGE PAPERS OR FOR THE REDACTING OF THE FORM OR FORMS WHEN A COPY IS REQUESTED BY PERSONS OTHER THAN THE FILER OR A MEMBER OF HIS FAMILY IN CRAVEN, NASH, AND PAMLICO COUNTIES.

The General Assembly of North Carolina enacts:

SECTION 1. Chapter 47 of the General Statutes is amended by adding a new section to read:

"§ 47-113.1. Removal or review of discharge papers from files of the register of deeds.

(a) Any veteran of the United States armed forces or his or her widow or widower, attorney-in-fact, personal representative, executor, or court-appointed guardian may request that the register of deeds remove from the official records any of the following forms recorded before, on, or after the effective date of this act, by or on behalf of the requesting veteran: DD-214, DD-215, WD AGO 53, WD AGO 55, WD AGO 53-55, NAVMC 78-PD, and NAVPERS 553. The request shall specify the identification page number of the form to be removed. The request shall be made in person and with appropriate identification to allow determination of the identity of the requester. The register of deeds has no duty to inquire beyond the request to verify the identity of the person requesting the removal. No fee shall be charged for the removal. When the request for removal is made, the register of deeds shall provide a written notice to the requesting party that the removal of the document from the official records is permanent and only microfilm, microfiche, or a similar archived copy of the document remains. Any index of the microfilm, microfiche, or similar archived copy of the document shall be annotated concerning the request for removal.

(b) If any person not authorized to request removal of the discharge documents pursuant to subsection (a) of this section requests a certified copy of any of the discharge documents listed in subsection (a) of this section, the register of deeds shall review the discharge documents and the register of deed's index of archived copies of documents for any annotations required under subsection (a) of this section. Upon retrieving a record of a discharge document which is the subject of an annotation required under subsection (a) of this section, the register of deeds shall make a paper copy of the archived discharge document, redact the personal information on the paper copy before certifying or distributing the document or disclosing to the requester its contents, and provide the redacted certified copy of the record to the requester. For purposes of this section, the term 'personal information' includes the social security number of the veteran. The certification shall indicate the nature of the personal information that was redacted. A request for a certified copy of a veteran's discharge document by a person authorized under subsection (a) of this section to request removal of the document shall be made in person so that the register of deeds may verify the identity of the requester. All documents sent in response to requests for certified copies of discharge documents not made in person shall have personal information redacted. The register of deeds may charge a fee for the actual cost of this procedure.

(c) The words 'register of deeds' appearing in this section shall be interpreted to mean 'register of deeds, assistant register of deeds, or deputy register of deeds'."

SECTION 2. These procedures shall apply to the copies of the same records located in the State Archives.

SECTION 3. This act applies to Craven, Nash, and Pamlico counties only.

SECTION 4. This act is effective when it becomes law.

In the General Assembly read three times and ratified this the 28th day of August, 2002.

s/ Marc Basnight
President Pro Tempore of the Senate

s/ James B. Black
Speaker of the House of Representatives