

**Opinion No. 44-4468**

March 2, 1944

**BY:** EDWARD P. CHASE, Attorney General

**TO:** Mr. C. R. Sebastian, State Comptroller, Santa Fe, New Mexico

I have your letter of February 24, 1944, wherein you state you have a request from the County Clerk of Union County for an opinion as to whether the County Clerk should charge a member of the United States Armed Forces for making certified copies of discharges.

Your letter calls our attention to the fact that an opinion of this office dated March 22, 1943, states definitely that the discharge papers of any member of the armed forces who has served for a period of thirty days or more may be recorded free of charge. You further note an opinion given by this office on November 30, 1942, No. 3720, which deals with the certification of marriage licenses to be furnished to the Veterans' Administration free of charge.

In view of the above you request the opinion of this office concerning whether the furnishing of certified copies of discharges comes within the same category.

It is my opinion that these statutes do not cover the furnishing of certified copies of discharges, and examination of the statutes which the above mentioned opinions were based on will show that the statutes do not concern furnishing of certified copies of discharges.

Hoping that the above fully answers your questions, I remain,

By HARRY L. BIGBEE,

Asst. Atty. General