

SB0045



101ST GENERAL ASSEMBLY

State of Illinois

2019 and 2020

SB0045

Introduced 1/16/2019, by Sen. Michael E. Hastings

SYNOPSIS AS INTRODUCED:

330 ILCS 55/1

from Ch. 126 1/2, par. 23

Amends the Veterans Preference Act. Makes a technical change in a Section concerning a preference given to veterans in employment and appointment to fill certain public works positions.

LRB101 06609 CPF 51636 b

A BILL FOR

1 AN ACT concerning military service.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Veterans Preference Act is amended by
5 changing Section 1 as follows:

6 (330 ILCS 55/1) (from Ch. 126 1/2, par. 23)

7 (Text of Section before amendment by P.A. 100-826)

8 Sec. 1. In the ~~the~~ employment and appointment to fill
9 positions in the construction, addition to, or alteration of
10 all public works undertaken or contracted for by the State, or
11 by any political subdivision thereof, preference shall be given
12 to persons who have been members of the armed forces of the
13 United States or who, while citizens of the United States, were
14 members of the armed forces of allies of the United States in
15 time of hostilities with a foreign country, and have served
16 under one or more of the following conditions:

17 (1) The veteran served a total of at least 6 months, or

18 (2) The veteran served for the duration of hostilities
19 regardless of the length of engagement, or

20 (3) The veteran served in the theater of operations but
21 was discharged on the basis of a hardship, or

22 (4) The veteran was released from active duty because
23 of a service connected disability and was honorably

1 discharged. But such preference shall be given only to
2 those persons who are found to possess the business
3 capacity necessary for the proper discharge of the duties
4 of such employment. No political subdivision or person
5 contracting for such public works is required to give
6 preference to veterans, not residents of such district,
7 over residents thereof, who are not veterans.

8 As used in this Section:

9 "Time of hostilities with a foreign country" means any
10 period of time in the past, present, or future during which a
11 declaration of war by the United States Congress has been or is
12 in effect or during which an emergency condition has been or is
13 in effect that is recognized by the issuance of a Presidential
14 proclamation or a Presidential executive order and in which the
15 armed forces expeditionary medal or other campaign service
16 medals are awarded according to Presidential executive order.

17 "Armed forces of the United States" means the United States
18 Army, Navy, Air Force, Marine Corps, or Coast Guard, United
19 States Reserve Forces, or Illinois National Guard. Service in
20 the Merchant Marine that constitutes active duty under Section
21 401 of federal Public Law 95-202 shall also be considered
22 service in the Armed Forces of the United States for purposes
23 of this Section.

24 (Source: P.A. 95-566, eff. 8-31-07.)

25 (Text of Section after amendment by P.A. 100-826)

1 Sec. 1. Veterans preference.

2 (a) In the employment and appointment to fill positions in
3 the construction, addition to, or alteration of all public
4 works undertaken or contracted for by the State, or by any
5 political subdivision thereof, preference shall be given to
6 persons who have been members of the armed forces of the United
7 States or who, while citizens of the United States, were
8 members of the armed forces of allies of the United States in
9 time of hostilities with a foreign country, and have served
10 under one or more of the following conditions:

11 (1) The veteran served a total of at least 6 months, or

12 (2) The veteran served for the duration of hostilities
13 regardless of the length of engagement, or

14 (3) The veteran served in the theater of operations but
15 was discharged on the basis of a hardship, or

16 (4) The veteran was released from active duty because
17 of a service connected disability and was honorably
18 discharged. But such preference shall be given only to
19 those persons who are found to possess the business
20 capacity necessary for the proper discharge of the duties
21 of such employment. No political subdivision or person
22 contracting for such public works is required to give
23 preference to veterans, not residents of such district,
24 over residents thereof, who are not veterans.

25 For the purposes of this Section, a person who has been a
26 member of the Illinois National Guard shall be given priority

1 over a person who has been a member of the National Guard of
2 any other state.

3 (b) As used in this Section:

4 "Time of hostilities with a foreign country" means any
5 period of time in the past, present, or future during which a
6 declaration of war by the United States Congress has been or is
7 in effect or during which an emergency condition has been or is
8 in effect that is recognized by the issuance of a Presidential
9 proclamation or a Presidential executive order and in which the
10 armed forces expeditionary medal or other campaign service
11 medals are awarded according to Presidential executive order.

12 "Armed forces of the United States" means the United States
13 Army, Navy, Air Force, Marine Corps, or Coast Guard, United
14 States Reserve Forces, or the National Guard of any state.
15 Service in the Merchant Marine that constitutes active duty
16 under Section 401 of federal Public Law 95-202 shall also be
17 considered service in the Armed Forces of the United States for
18 purposes of this Section.

19 (Source: P.A. 100-826, eff. 1-1-19.)