

# HB3679



## 96TH GENERAL ASSEMBLY

State of Illinois

2009 and 2010

HB3679

Introduced 2/24/2009, by Rep. Linda Chapa LaVia

### SYNOPSIS AS INTRODUCED:

20 ILCS 415/8b.7

from Ch. 127, par. 63b108b.7

Amends the Personnel Code. Grants State hiring preference points to spouses of certain described active duty military servicemembers.

LRB096 10527 JAM 20699 b

FISCAL NOTE ACT  
MAY APPLY

A BILL FOR

1 AN ACT concerning State government.

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

4 Section 5. The Personnel Code is amended by changing  
5 Section 8b.7 as follows:

6 (20 ILCS 415/8b.7) (from Ch. 127, par. 63b108b.7)

7 Sec. 8b.7. Veteran preference. For the granting of  
8 appropriate preference in entrance examinations to qualified  
9 persons who have been members of the armed forces of the United  
10 States or to qualified persons who, while citizens of the  
11 United States, were members of the armed forces of allies of  
12 the United States in time of hostilities with a foreign  
13 country, and to certain other persons as set forth in this  
14 Section.

15 (a) As used in this Section:

16 (1) "Time of hostilities with a foreign country" means  
17 any period of time in the past, present, or future during  
18 which a declaration of war by the United States Congress  
19 has been or is in effect or during which an emergency  
20 condition has been or is in effect that is recognized by  
21 the issuance of a Presidential proclamation or a  
22 Presidential executive order and in which the armed forces  
23 expeditionary medal or other campaign service medals are

1 awarded according to Presidential executive order.

2 (2) "Armed forces of the United States" means the  
3 United States Army, Navy, Air Force, Marine Corps, and  
4 Coast Guard. Service in the Merchant Marine that  
5 constitutes active duty under Section 401 of federal Public  
6 Law 95-202 shall also be considered service in the Armed  
7 Forces of the United States for purposes of this Section.

8 (b) The preference granted under this Section shall be in  
9 the form of points added to the final grades of the persons if  
10 they otherwise qualify and are entitled to appear on the list  
11 of those eligible for appointments.

12 (c) A veteran is qualified for a preference of 10 points if  
13 the veteran currently holds proof of a service connected  
14 disability from the United States Department of Veterans  
15 Affairs or an allied country or if the veteran is a recipient  
16 of the Purple Heart.

17 (d) A veteran who has served during a time of hostilities  
18 with a foreign country is qualified for a preference of 5  
19 points if the veteran served under one or more of the following  
20 conditions:

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

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

24 (3) The veteran was discharged on the basis of  
25 hardship, or

26 (4) The veteran was released from active duty because

1 of a service connected disability and was discharged under  
2 honorable conditions.

3 (e) A person not eligible for a preference under subsection  
4 (c) or (d) is qualified for a preference of 3 points if the  
5 person has served in the armed forces of the United States, the  
6 Illinois National Guard, or any reserve component of the armed  
7 forces of the United States if the person: (1) served for at  
8 least 6 months and has been discharged under honorable  
9 conditions or (2) has been discharged on the ground of hardship  
10 or (3) was released from active duty because of a service  
11 connected disability. An active member of the National Guard or  
12 a reserve component of the armed forces of the United States is  
13 eligible for the preference if the member meets the service  
14 requirements of this subsection (e).

15 (f) The rank order of persons entitled to a preference on  
16 eligible lists shall be determined on the basis of their  
17 augmented ratings. When the Director establishes eligible  
18 lists on the basis of category ratings such as "superior",  
19 "excellent", "well-qualified", and "qualified", the veteran  
20 eligibles in each such category shall be preferred for  
21 appointment before the non-veteran eligibles in the same  
22 category.

23 (g) Employees in positions covered by jurisdiction B who,  
24 while in good standing, leave to engage in military service  
25 during a period of hostility, shall be given credit for  
26 seniority purposes for time served in the armed forces.

1 (h) A surviving unremarried spouse of a veteran who  
2 suffered a service connected death or the spouse of a veteran  
3 who suffered a service connected disability that prevents the  
4 veteran from qualifying for civil service employment shall be  
5 entitled to the same preference to which the veteran would have  
6 been entitled under this Section.

7 (i) A preference shall also be given to the following  
8 individuals: 10 points for one parent of an unmarried veteran  
9 who suffered a service connected death or a service connected  
10 disability that prevents the veteran from qualifying for civil  
11 service employment. The first parent to receive a civil service  
12 appointment shall be the parent entitled to the preference.

13 (i-5) A preference shall also be given to the following  
14 individuals: 5 points for the spouse of an Active Duty  
15 Component servicemember currently on full-time Active Duty or a  
16 Reserve Component servicemember currently on Title 10 active  
17 duty orders and whose orders indicate an activation period of  
18 not less than 90 days.

19 (j) The Department of Central Management Services shall  
20 adopt rules and implement procedures to verify that any person  
21 seeking a preference under this Section is entitled to the  
22 preference. A person seeking a preference under this Section  
23 shall provide documentation or execute any consents or other  
24 documents required by the Department of Central Management  
25 Services or any other State department or agency to enable the  
26 department or agency to verify that the person is entitled to

1 the preference.

2 (k) If an applicant claims to be a veteran, the Department  
3 of Central Management Services must verify that status before  
4 granting a veteran preference by requiring a certified copy of  
5 the applicant's most recent DD214 (Certificate of Release or  
6 Discharge from Active Duty) or other evidence of the  
7 applicant's most recent honorable discharge from the Armed  
8 Forces of the United States that is determined to be acceptable  
9 by the Department of Central Management Services.

10 (Source: P.A. 90-655, eff. 7-30-98; 91-481, eff. 1-1-00.)