

HB4744



98TH GENERAL ASSEMBLY

State of Illinois

2013 and 2014

HB4744

by Rep. Donald L. Moffitt

SYNOPSIS AS INTRODUCED:

20 ILCS 415/8b.7

from Ch. 127, par. 63b108b.7

Amends the Personnel Code. Provides that a person is qualified for a veterans preference of 2 points if the person completed his or her first term of enlistment or obligation, regardless of whether or not that person was placed on active duty status, and the person: (1) was discharged under honorable conditions, (2) was discharged on the ground of hardship, or (3) was released from active duty because of a service connected disability. Effective immediately.

LRB098 16775 HLH 51844 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 (e-5) A person who is not eligible for a preference under
16 subsection (c), (d), or (e) is qualified for a preference of 2
17 points if the person completed his or her first term of
18 enlistment or obligation, regardless of whether or not that
19 person was placed on active duty status, and the person: (1)
20 was discharged under honorable conditions, (2) was discharged
21 on the ground of hardship, or (3) was released from active duty
22 because of a service connected disability.

23 (f) The rank order of persons entitled to a preference on
24 eligible lists shall be determined on the basis of their
25 augmented ratings. When the Director establishes eligible
26 lists on the basis of category ratings such as "superior",

1 "excellent", "well-qualified", and "qualified", the veteran
2 eligibles in each such category shall be preferred for
3 appointment before the non-veteran eligibles in the same
4 category.

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

9 (h) A surviving unremarried spouse of a veteran who
10 suffered a service connected death or the spouse of a veteran
11 who suffered a service connected disability that prevents the
12 veteran from qualifying for civil service employment shall be
13 entitled to the same preference to which the veteran would have
14 been entitled under this Section.

15 (i) A preference shall also be given to the following
16 individuals: 10 points for one parent of an unmarried veteran
17 who suffered a service connected death or a service connected
18 disability that prevents the veteran from qualifying for civil
19 service employment. The first parent to receive a civil service
20 appointment shall be the parent entitled to the preference.

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

1 Services or any other State department or agency to enable the
2 department or agency to verify that the person is entitled to
3 the preference.

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

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

13 Section 99. Effective date. This Act takes effect upon
14 becoming law.