

CHAPTER 4**(HB 75)**

AN ACT relating to honoring military service.

WHEREAS, the state government hiring preference for veterans helps to eliminate the penalty for time spent in military service; and

WHEREAS, the preference rewards veterans for their sacrifices and recognizes the economic loss they suffered while serving our country in uniform; and

WHEREAS, the preference restores veterans to a favorable competitive position for state government employment; and

WHEREAS, the preference acknowledges the larger obligation owed to disabled veterans and their families;

NOW, THEREFORE,

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

➔Section 1. KRS 18A.150 is amended to read as follows:

- (1) Any *person who has served in the active military, military reserves, or National Guard and was discharged or released therefrom with an honorable discharge, discharge under honorable conditions, or a general discharge* ~~[honorably discharged soldier, sailor, marine, member of the Air Force, or member of any other branch of the military service who was inducted into that service through voluntary or involuntary enlistment,]~~ shall have five (5) points added to *the veteran's* ~~[his]~~ entrance examination score for classified positions. Any *current member of the active military, military reserves, or National Guard* ~~[Kentucky National Guard member, or a former member of the Kentucky National Guard who has been honorably discharged,]~~ shall be entitled to the same number of points.
- (2) Any *person who has served in the active military, military reserves, or National Guard and was discharged or released therefrom with an honorable discharge, discharge under honorable conditions, or a general discharge* ~~[honorably discharged soldier, sailor, marine, member of the Air Force, or member of any other branch of the military service who was inducted into that service through voluntary or involuntary enlistment,]~~ whom the Veterans Administration or any branch of the Armed Forces of the United States determines has service-connected disabilities, shall have ten (10) points added to *the veteran's* ~~[his]~~ entrance examination score for a classified position.
- (3) The spouse of *a person who has served in the active military, military reserves, or National Guard, was discharged or released therefrom with an honorable discharge, discharge under honorable conditions, or a general discharge,* ~~[an honorably discharged soldier, sailor, marine, member of the Air Force, or member of any other branch of the military service who was inducted into that service through voluntary or involuntary enlistment who]~~ would be eligible for a ten (10) point preference, and whose service-connected disability disqualifies *the veteran* ~~[him]~~ for positions along the general line of *the veteran's* ~~[his]~~ usual occupation shall have ten (10) preference points added to *the spouse's* ~~[his]~~ entrance examination score for a classified position. In such a case, the spouse loses the right to preference if the disabled ~~[war]~~ veteran recovers.
- (4) Until remarriage, the surviving spouse of *a person who has served in the active military, military reserves, or National Guard and was discharged or released therefrom with an honorable discharge, discharge under honorable conditions, or a general discharge* ~~[an honorably discharged soldier, sailor, marine, member of the Air Force, or member of any other branch of the military service who was inducted into that service through voluntary or involuntary enlistment,]~~ shall have ten (10) preference points added to *the spouse's* ~~[his]~~ entrance examination score for a classified position. This includes the surviving spouse of any military personnel who died while in the Armed Forces, unless circumstances surrounding the death would have been cause for other than honorable *or general* discharge separation.
- (5) A parent totally or partially dependent on a *person who has served in the active military, military reserves, or National Guard* ~~[soldier, sailor, marine, member of the Air Force, or member of any other branch of the military service who was inducted into that service through voluntary or involuntary enlistment,]~~ and ~~[who]~~ lost his *or her* life under honorable conditions while on active duty or active duty for training purposes ~~[,]~~ or ~~[who]~~

became permanently and totally disabled as a result of a service-connected disability~~[-]~~ shall have ten (10) preference points added to ***the parent's***~~[his]~~ examination score for a classified position.

- (6) The preference points granted by subsections (1) through (5) of this section shall be added to entrance examination scores for classified positions only if the score is determined by the secretary to be a passing score and after verification of the required service. The total of the entrance examination score and the preference points ~~may~~~~shall not~~ exceed one hundred (100).
- (7) (a) ***When a register certificate is transmitted to a state agency for employment consideration, that certificate shall clearly identify all individuals entitled to preference points under subsections (1) to (6) of this section, whether or not an examination is actually a part of the selection method. Regardless of the selection method used to fill a vacancy, these individuals shall be clearly identified.***
- (b) 1. ***If the number of individuals identified in paragraph (a) of this subsection is less than five (5), the employing agency shall offer an interview to all individuals identified in paragraph (a) of this subsection, including individuals presently employed by the Commonwealth of Kentucky and applying for another classified position within state government.***
2. ***If the number of individuals identified in paragraph (a) of this subsection equals or exceeds five (5), the employing agency shall offer an interview to no fewer than five (5).***

Signed by Governor February 18, 2010.