

CHAPTER 109

(HB 338)

AN ACT relating to employment opportunities for service members and their families.

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

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

- (1) ***Interview preference to a competitive classified position for which he or she meets the minimum qualifications established for the job classification shall apply to:***
 - (a) Any person who has served in the ***Armed Forces of the United States, Reserves, or National Guard*** ~~who{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, ***or his or her spouse or unmarried widow or widower;*** ~~{shall have five (5) points added to the veteran's entrance examination score for classified positions. Any current member of the active military, military reserves, or National Guard shall be entitled to the same number of points}~~
 - (b) ***The unmarried widow or widower of any military personnel who died while in the Armed Forces of the United States, Reserves, or National Guard, unless circumstances surrounding the death was cause for other than honorable or general discharge separation; and***
 - (c) ***Any current member of the Armed Forces of the United States, Reserves, or National Guard or his or her spouse.***
- (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, whom the United States Department of Veterans Affairs 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 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, would be eligible for a ten (10) point preference, and whose service-connected disability disqualifies the veteran for positions along the general line of the veteran's usual occupation shall have ten (10) preference points added to the spouse's entrance examination score for a classified position. In such a case, the spouse loses the right to preference if the disabled 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 shall have ten (10) preference points added to the spouse's 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 ***Armed Forces of the United States, Reserves, or National Guard***{active military, military reserves, or National Guard} and lost his or her life under honorable conditions while on active duty or active duty for training purposes or became permanently and totally disabled as a result of a service-connected disability shall have ***interview preference to a competitive classified position for which he or she meets the minimum qualifications established for the job classification***{ten (10) preference points added to the parent's examination score for a classified position.~~
- (6) ~~The preference points granted by subsections (1) to (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 exceed one hundred (100).~~
- (3){(7)} (a) ***Applicants entitled to interview preference as set forth in this section shall be clearly identified***~~{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)}~~

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~~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).
- (4) *Interview preference shall only apply to candidates seeking initial appointment to the classified service.*

Signed by Governor March 26, 2019.