

HB3261



100TH GENERAL ASSEMBLY

State of Illinois

2017 and 2018

HB3261

by Rep. Linda Chapa LaVia

SYNOPSIS AS INTRODUCED:

20 ILCS 415/8b.7

from Ch. 127, par. 63b108b.7

Amends the Personnel Code. Provides that, for the purpose of veteran preferences, with respect to applicants for the position of Highway Maintainer, service in the Illinois National Guard or a reserve component of the United States Armed Forces is considered service in the Armed Forces of the United States regardless of whether or not the applicant was mobilized to active duty. Effective immediately.

LRB100 10131 HLH 20307 b

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 In the case of applicants for the position of Highway
9 Maintainer, service in the Illinois National Guard or a
10 reserve component of the United States Armed Forces is
11 considered service in the Armed Forces of the United
12 States, regardless of whether or not that applicant was
13 mobilized to active duty.

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

18 (c) A veteran is qualified for a preference of 10 points if
19 the veteran currently holds proof of a service connected
20 disability from the United States Department of Veterans
21 Affairs or an allied country or if the veteran is a recipient
22 of the Purple Heart.

23 (d) A veteran who has served during a time of hostilities
24 with a foreign country is qualified for a preference of 5
25 points if the veteran served under one or more of the following
26 conditions:

- 1 (1) The veteran served a total of at least 6 months, or
- 2 (2) The veteran served for the duration of hostilities
- 3 regardless of the length of engagement, or
- 4 (3) The veteran was discharged on the basis of
- 5 hardship, or
- 6 (4) The veteran was released from active duty because
- 7 of a service connected disability and was discharged under
- 8 honorable conditions.
- 9 (e) A person not eligible for a preference under subsection
- 10 (c) or (d) is qualified for a preference of 3 points if the
- 11 person has served in the armed forces of the United States, the
- 12 Illinois National Guard, or any reserve component of the armed
- 13 forces of the United States if the person: (1) served for at
- 14 least 6 months and has been discharged under honorable
- 15 conditions or (2) has been discharged on the ground of hardship
- 16 or (3) was released from active duty because of a service
- 17 connected disability. An active member of the National Guard or
- 18 a reserve component of the armed forces of the United States is
- 19 eligible for the preference if the member meets the service
- 20 requirements of this subsection (e).
- 21 (f) The rank order of persons entitled to a preference on
- 22 eligible lists shall be determined on the basis of their
- 23 augmented ratings. When the Director establishes eligible
- 24 lists on the basis of category ratings such as "superior",
- 25 "excellent", "well-qualified", and "qualified", the veteran
- 26 eligibles in each such category shall be preferred for

1 appointment before the non-veteran eligibles in the same
2 category.

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

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

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

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.)

11 Section 99. Effective date. This Act takes effect upon
12 becoming law.