Effective 5/3/2023

Chapter 2
Veterans Preference

71A-2-101 Veterans' preference -- Definitions.

(1) As used in this chapter:
  (a) "Government entity" means the state, any county, municipality, special district, special service district, or any other political subdivision or administrative unit of the state, including state institutions of education.
  (b) "Individual with a disability" means a veteran or service member who has established the existence of a service-connected disability or is receiving compensation, disability retirement benefits, or a pension because of a public statute administered by the VA or a military department.
  (c) "Preference eligible" means:
    (i) any individual who is a veteran or service member;
    (ii) an individual with a disability, regardless of the percentage of disability;
    (iii) the spouse or surviving spouse of a veteran or service member;
    (iv) a purple heart recipient; or
    (v) a retired member of the armed forces.
(2) Terms defined in Section 71A-1-101 apply to this chapter.

71A-2-102 Veterans preference.

(1) Each government entity shall grant a veterans preference upon initial application to each preference eligible individual according to the procedures and requirements of this chapter.
(2) The personnel or human resource officer of any government entity shall add to the score of a preference eligible who receives a passing score on an examination, or any rating or ranking mechanism used in selecting an individual for any career service position with the government entity:
  (a) 5% of the total possible score, if the preference eligible is a veteran or service member;
  (b) 10% of the total possible score, if the preference eligible is a veteran or service member with a disability or a purple heart recipient; or
  (c) in the case of a preference eligible spouse or surviving spouse, the same percentage the qualifying veteran or service member is, or would have been, entitled to.
(3) A preference eligible who applies for a position that does not require an examination, or where examination results are other than a numeric score, shall be given preference in interviewing for the position.
(4) Preference eligibility shall be added to a minimum of one step in the process.
(5) The granting of a veterans preference by a government entity in accordance with this chapter is not a violation of:
  (a) Title 34A, Chapter 5, Utah Antidiscrimination Act; or
  (b) any other state or local equal employment opportunity law.

Renumbered and Amended by Chapter 44, 2023 General Session

71A-2-103 Veterans preference -- Willful failure to give preference a misdemeanor.

(1) An officer, agent, or representative of a government entity who is charged with employment of people may not willfully fail to give preference as provided in this chapter.
(2) Willful failure to extend veterans preference to an applicant is a class B misdemeanor.

Renumbered and Amended by Chapter 44, 2023 General Session