

VETERAN'S PREFERENCE AMENDMENTS

2014 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Val L. Peterson

Senate Sponsor: Peter C. Knudson

LONG TITLE

General Description:

This bill makes all ranks of military officers eligible for veteran's preference points and changes Utah's percentage-based preference process.

Highlighted Provisions:

This bill:

- ▶ modifies a definition of "preference eligible" to include all ranks of officers; and
- ▶ converts Utah's percentage-based scoring process to match the federal government's points-based preference process.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

71-10-1, as last amended by Laws of Utah 2011, Chapter 366

71-10-2, as last amended by Laws of Utah 2011, Chapter 366

Be it enacted by the Legislature of the state of Utah:

Section 1. Section **71-10-1** is amended to read:

71-10-1. Definitions.



28 As used in this chapter:

29 (1) "Active duty" means active military duty and does not include active duty for
30 training, initial active duty for training, or inactive duty for training.

31 (2) "Government entity" means the state, any county, municipality, local district,
32 special service district, or any other political subdivision or administrative unit of the state,
33 including state institutions of education.

34 (3) "Preference eligible" means:

35 (a) any individual who has served on active duty in the armed forces for more than 180
36 consecutive days, or was a member of a reserve component who served in a campaign or
37 expedition for which a campaign medal has been authorized and who has been separated under
38 honorable conditions;

39 (b) a veteran with a disability, regardless of the percentage of disability;

40 (c) the spouse or unmarried widow or widower of a veteran;

41 (d) a purple heart recipient; or

42 (e) a retired member of the armed forces [~~who retired below the rank of major or its~~
43 ~~equivalent~~].

44 (4) "Veteran" means:

45 (a) an individual who has served on active duty in the armed forces for more than 180
46 consecutive days, or was a member of a reserve component who served in a campaign or
47 expedition for which a campaign medal has been authorized and who has been separated or
48 retired under honorable conditions; or

49 (b) any individual incurring an actual service-related injury or disability in the line of
50 duty whether or not that person completed 180 consecutive days of active duty.

51 (5) "Veteran with a disability" means an individual who has:

52 (a) been separated or retired from the armed forces under honorable conditions; and

53 (b) established the existence of a service-connected disability or is receiving
54 compensation, disability retirement benefits, or pension because of a public statute
55 administered by the federal Department of Veterans Affairs or a military department.

56 Section 2. Section **71-10-2** is amended to read:

57 **71-10-2. Veteran's preference.**

58 (1) Each government entity shall grant a veteran's preference upon initial hiring to each

59 preference eligible veteran or preference eligible spouse according to the procedures and
60 requirements of this chapter.

61 (2) The personnel officer of any government entity shall add to the score of a
62 preference eligible who receives a passing score on an examination, or any rating or ranking
63 mechanism used in selecting an individual for any career service position with the government
64 entity:

65 (a) ~~[5% of the total possible score]~~ five points, if the preference eligible is a veteran;

66 (b) ~~[10% of the total possible score]~~ 10 points, if the preference eligible is a veteran
67 with a disability or a purple heart recipient; or

68 (c) in the case of a preference eligible spouse, widow, or widower, the same
69 ~~[percentage]~~ points the qualifying veteran is, or would have been, entitled to.

70 (3) A preference eligible who applies for a position that does not require an
71 examination, or where examination results are other than a numeric score, shall be given
72 preference in interviewing and hiring for the position.

Legislative Review Note
as of 1-29-14 5:45 PM

Office of Legislative Research and General Counsel