

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2021

FILED SENATE
Feb 22, 2021
S.B. 123
PRINCIPAL CLERK

S

D

SENATE BILL DRS15050-LR-60

Short Title: Amend Veterans' Preference/Honor Active Duty.

(Public)

Sponsors: Senators Lazzara and Sawyer (Primary Sponsors).

Referred to:

A BILL TO BE ENTITLED
AN ACT AMENDING THE VETERANS' PREFERENCE UNDER THE STATE HUMAN
RESOURCES ACT AND G.S. 128-15 TO COVER ACTIVE-DUTY SERVICE IN THE
ARMED FORCES.

The General Assembly of North Carolina enacts:

SECTION 1.(a) G.S. 126-80 reads as rewritten:

"§ 126-80. Declaration of policy.

It shall be the policy of the State of North Carolina that, in appreciation for their service to this State and this ~~country during a period of war,~~ country, and in recognition of the time and advantage lost toward the pursuit of a civilian career, veterans shall be granted preference in employment for positions subject to the provisions of this Chapter with every State department, agency, and institution."

SECTION 1.(b) G.S. 126-81 reads as rewritten:

"§ 126-81. Definitions.

As used in this Article:

- (1) ~~"A period of war" includes World War I (April 16, 1917, through November 11, 1918), World War II (December 7, 1941, through December 31, 1946), the Korean Conflict (June 27, 1950, through January 31, 1955), the period of time between January 31, 1955, and the end of the hostilities in Vietnam (May 7, 1975), or any other campaign, expedition, or engagement for which a campaign badge or medal is authorized by the United States Department of Defense.~~
- (2) ~~"Veteran" means a Veteran. – A person who served in the Armed Forces of the United States on active duty, for reasons other than training, and has been discharged under other than dishonorable conditions.~~
- (3) ~~"Eligible veteran" means:~~ Eligible veteran. – Any of the following:
 - a. A veteran who served ~~during a period of war;~~ on active duty.
 - b. The spouse of a disabled ~~veteran;~~ or veteran.
 - c. The surviving spouse or dependent of a veteran who dies on active duty ~~during a period of war~~ either directly or indirectly as a result of such ~~service;~~ or service.
 - d. A veteran who suffered a service-connected disability during ~~peacetime;~~ or peacetime.
 - e. The spouse of a veteran described in ~~subdivision~~ sub-subdivision d. of this ~~subsection;~~ or subsection.



* D R S 1 5 0 5 0 - L R - 6 0 *

- f. The surviving spouse or dependent of a person who served in the Armed Forces of the United States on active duty, for reasons other than training, who died for service-related reasons during peacetime."

SECTION 2. G.S. 128-15 reads as rewritten:

"§ 128-15. Employment preference for veterans and their spouses or surviving spouses.

(a) It shall be the policy of the State of North Carolina that, in appreciation for their service to this State and this ~~country during a period of war, country,~~ and in recognition of the time and advantage lost toward the pursuit of a civilian career, veterans shall be granted preference in employment with every State department, agency, and institution.

(b) ~~As used in this section:~~ The following definitions apply in this section:

(1) ~~"A period of war" includes World War I (April 16, 1917, through November 11, 1918), World War II (December 7, 1941, through December 31, 1946), the Korean Conflict (June 27, 1950, through January 31, 1955), the period of time between January 31, 1955, and the end of the hostilities in Vietnam (May 7, 1975), or any other campaign, expedition, or engagement for which a campaign badge or medal is authorized by the United States Department of Defense.~~

(2) ~~"Veteran" means a Veteran.~~ – A person who served in the Armed Forces of the United States on active duty, for reasons other than training, and has been discharged under other than dishonorable conditions.

(3) ~~"Eligible veteran" means:~~ Eligible veteran. – Any of the following:

- a. A veteran who served ~~during a period of war; or~~ on active duty.
- b. The spouse of a disabled ~~veteran; or~~ veteran.
- c. The surviving spouse or dependent of a veteran who dies on active duty ~~during a period of war~~ either directly or indirectly as the result of such ~~service; or~~ service.
- d. A veteran who suffered a disabling injury for service-related reasons during ~~peacetime; or~~ peacetime.
- e. The spouse of a veteran described in ~~subdivision~~ sub-subdivision d. of this ~~subsection; or~~ subsection.
- f. The surviving spouse or dependent of a person who served in the Armed Forces of the United States on active duty, for reasons other than training, who dies for service-related reasons during peacetime.

(c) Hereafter, in all evaluations of applicants for positions with this State or any of its departments, institutions or agencies, a preference shall be awarded to all eligible veterans who are citizens of the State and who served the State or the United States honorably in the military forces of this State or of the United States ~~during a period of war.~~ States. This preference applies to initial employment with the State and extends to other employment events including subsequent hirings, promotions, reassignments, and horizontal transfers.

(d) The provisions of this section shall be subject to the provisions of Article 1 of Chapter 165 of the General Statutes, and Parts 13 and 19 of Article 9 of Chapter 143B of the General Statutes."

SECTION 3. This act is effective when it becomes law.