

GENERAL ASSEMBLY OF NORTH CAROLINA
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HOUSE BILL 370
Committee Substitute Favorable 4/21/21
Senate Commerce and Insurance Committee Substitute Adopted 5/24/22
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Short Title: Veterans Employment Act.

(Public)

Sponsors:

Referred to:

March 24, 2021

A BILL TO BE ENTITLED
AN ACT REQUIRING OCCUPATIONAL LICENSING BOARDS AND STATE AGENCY
LICENSING BOARDS TO INFORM THE SECRETARY OF THE DEPARTMENT OF
MILITARY AND VETERANS AFFAIRS OF THE NAME OF THE PERSON
RESPONSIBLE FOR FILING DATA ON APPLICATIONS FOR LICENSURE
SUBMITTED BY MILITARY-TRAINED PERSONS OR MILITARY SPOUSES;
PROVIDING THAT LICENSING BOARDS SHALL DETERMINE AN APPLICANT'S
STATUS AS MILITARY-TRAINED OR A MILITARY SPOUSE; EXTENDING THE
PROTECTIONS AND BENEFITS OF THE INTERSTATE COMPACT ON
EDUCATIONAL OPPORTUNITY FOR MILITARY CHILDREN TO THE CHILDREN
OF NATIONAL GUARD AND RESERVE MEMBERS WITHIN THE STATE;
EXPANDING THE EMPLOYMENT PREFERENCE FOR VETERANS; AND
AUTHORIZING COUNTIES AND CITIES TO ENTER INTO INTERGOVERNMENTAL
SUPPORT AGREEMENTS WITH MILITARY INSTALLATIONS.

The General Assembly of North Carolina enacts:

SECTION 1.(a) G.S. 93B-2(b1) reads as rewritten:

"(b1) No later than October 31 of each year, each occupational licensing board ~~or~~ and State
agency licensing board shall file electronically with the Secretary of the Department of Military
and Veterans Affairs information ~~collected pursuant to~~ described in G.S. 93B-2(a)(9c) and (9d).
Beginning July 1, 2022, and not later than July 1 of each year thereafter, each occupational
licensing board and State agency licensing board shall inform the Secretary of the name of the
person who is responsible for filing the information required under this subsection."

SECTION 1.(b) G.S. 93B-15.1 reads as rewritten:

"§ 93B-15.1. **Licensure for individuals with military training and experience; proficiency
examination; licensure by endorsement for military spouses; temporary license.**

...

(c3) Each occupational licensing board and State agency licensing board shall ensure that
the application for licensure, certification, or registration includes a question requiring the
applicant to indicate whether he or she is military-trained or a military spouse.

...."

SECTION 1.(c) This section is effective when it becomes law.

SECTION 2.(a) Article 29B of Chapter 115C of the General Statutes reads as
rewritten:

"Article 29B.



"Educational Opportunities for Military Children.

"Part 1. Interstate Compact on Educational Opportunity for Military Children.

...

"Part 2. Educational Opportunities for Children of National Guard and Reserve Members Not
in Active Duty Status.

**"§ 115C-407.12. Educational opportunities for children of National Guard and Reserve
members not in active duty status.**

(a) The following definitions apply in this Part:

(1) Children of inactive members. – School-aged children, enrolled in
kindergarten through twelfth grade, in the household of an inactive member.

(2) Inactive member. – A member of the National Guard or the Reserves of any
branch of the uniformed services of the United States who is inactive and not
on active duty orders pursuant to 10 U.S.C. § 12301, et seq., and 10 U.S.C. §
12401, et seq.

(3) Local education authority. – A public authority legally constituted by the State
as an administrative agency to provide control of and direction for
kindergarten through twelfth grade public educational institutions.

(b) The Interstate Compact on Educational Opportunity for Military Children under Part
1 of this Article is limited to providing transition services for children of active duty members of
the uniformed services and excludes provision of services to children of inactive members.

(c) For intrastate transfers between local education authorities in this State, children of
inactive members shall be provided the same services as provided for children of military families
under Part 1 of this Article if the inactive member is required to move to perform military service–
related responsibilities and presents a copy of the official military transfer order to the school
from which the services for the child are requested.

(d) For interstate transfers, if the inactive member is required to move to perform military
service–related responsibilities and presents a copy of the official military transfer order to the
school from which the services for the child are requested, the following shall apply:

(1) Local education authorities in this State shall provide the same services as
provided for children of military families under Part 1 of this Article to
children of inactive members transferring to the State within the limitations
established by subdivision (2) of this subsection.

(2) Local education authorities in this State shall not require local education
authorities outside of the State to provide services to children of inactive
members transferring to or from the State. Local education authorities in the
State shall make an attempt to coordinate on behalf of children of inactive
members with local education authorities outside of the State."

SECTION 2.(b) This section is effective when it becomes law and is applicable
beginning with the 2022-2023 academic school year.

SECTION 3.(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, eligible veterans shall be granted preference
in employment for positions subject to the provisions of this Chapter with every State department,
agency, and institution."

SECTION 3.(b) G.S. 126-81 reads as rewritten:

"§ 126-81. Definitions.

The following definitions apply in this Article:

(1) ~~Period of war. — 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. – 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. – Any of the ~~following~~following persons:

a. ~~A veteran who served during a period of war.~~veteran.

b. The spouse of a disabled 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.~~duty.

d. A veteran who suffered a service-connected ~~disability during peacetime.~~disability.

e. The spouse of a veteran described in sub-subdivision d. of this subdivision.

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.~~reasons.

(4) Eligible member of the National Guard. – Any of the following:

a. A resident of North Carolina who is a current member in good standing of either the North Carolina Army National Guard or the North Carolina Air National Guard.

b. A resident of North Carolina who is a former member of either the North Carolina Army National Guard or the North Carolina Air National Guard, whose discharge is under honorable conditions with a minimum of six years of creditable service.

c. The surviving spouse and dependent of a member of the North Carolina Army National Guard or the North Carolina Air National Guard who dies on State active duty either directly or indirectly as a result of that service.

d. The surviving spouse or dependent of a member of the North Carolina National Guard who died for service-related ~~reasons during peacetime.~~reasons."

SECTION 3.(c) 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, eligible veterans and eligible members of the National Guard 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) ~~Period of war. — 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. – 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. – Any of the ~~following~~following persons:

a. ~~A veteran who served during a period of war.~~veteran.

b. The spouse of a disabled 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.~~veteran.

d. A veteran who suffered a disabling injury for service-related ~~reasons during peacetime.~~reasons.

e. The spouse of a veteran described in sub-subdivision d. of this subdivision.

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.~~reasons.

(4) Eligible member of the National Guard. – Any of the following:

a. A resident of North Carolina who is a current member in good standing of either the North Carolina Army National Guard or the North Carolina Air National Guard.

b. A resident of North Carolina who is a former member of either the North Carolina Army National Guard or the North Carolina Air National Guard, whose discharge is under honorable conditions with a minimum of six years of creditable service.

c. The surviving spouse and dependent of a member of the North Carolina Army National Guard or the North Carolina Air National Guard who dies on State active duty either directly or indirectly as a result of that service.

d. The surviving spouse or dependent of a member of the North Carolina National Guard who died for service-related ~~reasons during peacetime.~~reasons.

(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 and eligible members of the National Guard 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, G.S. 126-83, and Parts 13 and 19 of Article 9 of Chapter 143B of the General Statutes."

SECTION 3.(d) This section is effective when it becomes law and applies to applications for public employment made on or after that date.

SECTION 4. Article 23 of Chapter 153A of the General Statutes is amended by adding a new section to read as follows:

"§ 153A-460. Intergovernmental Support Agreements with military installations.

1 A county may enter into Intergovernmental Support Agreements with the Secretary of a
2 military branch of the Armed Forces of the United States to provide installation-support services
3 as authorized by 10 U.S.C. § 2679."

4 **SECTION 5.** Article 21 of Chapter 160A of the General Statutes is amended by
5 adding a new section to read as follows:

6 **"§ 160A-499.5. Intergovernmental Support Agreements with military installations.**

7 A city may enter into Intergovernmental Support Agreements with the Secretary of a military
8 branch of the Armed Forces of the United States to provide installation-support services as
9 authorized by 10 U.S.C. § 2679."

10 **SECTION 6.** Unless otherwise indicated, this act is effective when it becomes law.