

HB5055



97TH GENERAL ASSEMBLY

State of Illinois

2011 and 2012

HB5055

Introduced 2/7/2012, by Rep. David R. Leitch

SYNOPSIS AS INTRODUCED:

20 ILCS 415/8b.7

from Ch. 127, par. 63b108b.7

Amends the Personnel Code. Provides that a member of the Illinois National Guard who meets certain service requirements is qualified for a preference of 10 points in entrance examinations for the position of Highway Maintainer with the Department of Transportation.

LRB097 18756 PJG 63992 b

FISCAL NOTE ACT
MAY APPLY

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

12 (c) A veteran is qualified for a preference of 10 points if
13 the veteran currently holds proof of a service connected
14 disability from the United States Department of Veterans
15 Affairs or an allied country or if the veteran is a recipient
16 of the Purple Heart.

17 (d) A veteran who has served during a time of hostilities
18 with a foreign country is qualified for a preference of 5
19 points if the veteran served under one or more of the following
20 conditions:

21 (1) The veteran served a total of at least 6 months, or

22 (2) The veteran served for the duration of hostilities
23 regardless of the length of engagement, or

24 (3) The veteran was discharged on the basis of
25 hardship, or

26 (4) The veteran was released from active duty because

1 of a service connected disability and was discharged under
2 honorable conditions.

3 (e) A person not eligible for a preference under subsection
4 (c) or (d) is qualified for a preference of 3 points if the
5 person has served in the armed forces of the United States, the
6 Illinois National Guard, or any reserve component of the armed
7 forces of the United States if the person: (1) served for at
8 least 6 months and has been discharged under honorable
9 conditions or (2) has been discharged on the ground of hardship
10 or (3) was released from active duty because of a service
11 connected disability. An active member of the National Guard or
12 a reserve component of the armed forces of the United States is
13 eligible for the preference if the member meets the service
14 requirements of this subsection (e). A member of the Illinois
15 National Guard who meets service requirements of this
16 subsection (e) is qualified for a preference of 10 points in
17 entrance examinations for the position of Highway Maintainer
18 with the Illinois Department of Transportation

19 (f) The rank order of persons entitled to a preference on
20 eligible lists shall be determined on the basis of their
21 augmented ratings. When the Director establishes eligible
22 lists on the basis of category ratings such as "superior",
23 "excellent", "well-qualified", and "qualified", the veteran
24 eligibles in each such category shall be preferred for
25 appointment before the non-veteran eligibles in the same
26 category.

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

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

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

17 (j) The Department of Central Management Services shall
18 adopt rules and implement procedures to verify that any person
19 seeking a preference under this Section is entitled to the
20 preference. A person seeking a preference under this Section
21 shall provide documentation or execute any consents or other
22 documents required by the Department of Central Management
23 Services or any other State department or agency to enable the
24 department or agency to verify that the person is entitled to
25 the preference.

26 (k) If an applicant claims to be a veteran, the Department

1 of Central Management Services must verify that status before
2 granting a veteran preference by requiring a certified copy of
3 the applicant's most recent DD214 (Certificate of Release or
4 Discharge from Active Duty) or other evidence of the
5 applicant's most recent honorable discharge from the Armed
6 Forces of the United States that is determined to be acceptable
7 by the Department of Central Management Services.

8 (Source: P.A. 90-655, eff. 7-30-98; 91-481, eff. 1-1-00.)