

AN ACT concerning military service.

**Be it enacted by the People of the State of Illinois,
represented in the General Assembly:**

Section 5. The Veterans Preference Act is amended by changing Section 1 as follows:

(330 ILCS 55/1) (from Ch. 126 1/2, par. 23)

Sec. 1. Veterans preference.

(a) In the employment and appointment to fill positions in the construction, addition to, or alteration of all public works undertaken or contracted for by the State, or by any political subdivision thereof, preference shall be given to persons who have been members of the armed forces of the United States or who, while citizens of the United States, were members of the armed forces of allies of the United States in time of hostilities with a foreign country, and have served under one or more of the following conditions:

- (1) The veteran served a total of at least 6 months, or
- (2) The veteran served for the duration of hostilities regardless of the length of engagement, or
- (3) The veteran served in the theater of operations but was discharged on the basis of a hardship, or
- (4) The veteran was released from active duty because of a service connected disability and was honorably

discharged. But such preference shall be given only to those persons who are found to possess the business capacity necessary for the proper discharge of the duties of such employment. No political subdivision or person contracting for such public works is required to give preference to veterans, not residents of such district, over residents thereof, who are not veterans.

For the purposes of this Section, a person who has been a member of the Illinois National Guard shall be given priority over a person who has been a member of the National Guard of any other state.

(b) As used in this Section:

"Time of hostilities with a foreign country" means any period of time in the past, present, or future during which a declaration of war by the United States Congress has been or is in effect or during which an emergency condition has been or is in effect that is recognized by the issuance of a Presidential proclamation or a Presidential executive order and in which the armed forces expeditionary medal or other campaign service medals are awarded according to Presidential executive order.

"Armed forces of the United States" means the United States Army, Navy, Air Force, Marine Corps, or Coast Guard, United States Reserve Forces, or the Illinois National Guard of any state. Service in the Merchant Marine that constitutes active duty under Section 401 of federal Public Law 95-202 shall also be considered service in the Armed Forces of the United States

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for purposes of this Section.

(Source: P.A. 95-566, eff. 8-31-07.)