

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1989

S

2

SENATE BILL 842
Veterans Affairs, Law Enforcement & Senior Citizens
Committee Substitute Adopted 5/9/89

Short Title: Selective Service Registration Required.

(Public)

Sponsors:

Referred to:

April 11, 1989

A BILL TO BE ENTITLED

AN ACT TO REQUIRE THAT PERSONS SUBJECT TO SELECTIVE SERVICE
REGISTRATION MUST REGISTER TO BE ELIGIBLE FOR STATE OR LOCAL
GOVERNMENT EMPLOYMENT OR RECEIPT OF PUBLIC EDUCATIONAL
ASSISTANCE.

The General Assembly of North Carolina enacts:

Section 1. Chapter 143B of the General Statutes is amended by adding a new
Part in Article 9 to read:

"PART 19A. SELECTIVE SERVICE REGISTRATION.

"§ 143B-421.1. Selective Service registration.

(a) A person who is required under 50 United States Code Appx § 453 (Military
Selective Service Act) to present himself for and submit to registration and fails to do so
in accordance with any proclamation or any rule or regulation issued under this section,
shall be ineligible for:

(1) Employment by or service for the State, or a political subdivision of
the State, including all boards and commissions, departments,
agencies, institutions, and instrumentalities.

(2) State-supported scholarships, programs for financial assistance for
postsecondary education, or loans insured by any State agency,
including educational assistance authorized under Article 23 of
Chapter 116 of the General Statutes.

1 **(b)** It shall be the duty of all persons or officials having charge of and authority
2 over either the hiring of employees or granting of educational assistance, as described in
3 this section, to adopt rules and regulations which shall require applicants to indicate
4 whether they are in compliance with the registration requirements described in
5 subsection (a). Rules and regulations issued under the authority of this section shall
6 provide that an applicant be given not less than 30 days after notification of a proposed
7 finding of ineligibility for employment or benefits to provide the issuing official with
8 information that he is in compliance with the registration requirements described in
9 subsection (a). The issuing official may afford such person an opportunity for a hearing
10 to establish his compliance or for any other purpose.

11 **(c)** A person may not be denied a right, privilege, or benefit under State law by
12 reason of failure to present himself for and submit to registration under 50 USCS Appx
13 § 453 if:

- 14 **(1)** The requirement for the person to so register has terminated or become
15 applicable to the person; and
16 **(2)** The person shows by a preponderance of the evidence that the failure
17 of the person to register was not a knowing and willful failure to
18 register."

19 Sec. 2. This act shall become effective October 1, 1989.