

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2021

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SENATE BILL 123

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

Sponsors: Senators Lazzara and Sawyer (Primary Sponsors).

Referred to: Rules and Operations of the Senate

February 23, 2021

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;~~ 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 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.



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

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

5 **"§ 128-15. Employment preference for veterans and their spouses or surviving spouses.**

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

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

11 (1) ~~"A period of war" includes World War I (April 16, 1917, through November~~
12 ~~11, 1918), World War II (December 7, 1941, through December 31, 1946),~~
13 ~~the Korean Conflict (June 27, 1950, through January 31, 1955), the period of~~
14 ~~time between January 31, 1955, and the end of the hostilities in Vietnam (May~~
15 ~~7, 1975), or any other campaign, expedition, or engagement for which a~~
16 ~~campaign badge or medal is authorized by the United States Department of~~
17 ~~Defense.~~

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

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

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

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

40 (d) The provisions of this section shall be subject to the provisions of Article 1 of Chapter
41 165 of the General Statutes, and Parts 13 and 19 of Article 9 of Chapter 143B of the General
42 Statutes."

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