

FIRST REGULAR SESSION

HOUSE BILL NO. 645

97TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES SCHIEFFER (Sponsor), ROORDA, RIZZO, ENGLISH,
HUMMEL AND NORR (Co-sponsors).

1466L.011

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To amend chapter 105, RSMo, by adding thereto one new section relating to preferences to military veterans for state employment.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Chapter 105, RSMo, is amended by adding thereto one new section, to be
2 known as section 105.251, to read as follows:

105.251. 1. As used in this section, the following terms mean:

2 **(1) "Disabled veteran", a veteran who has served on active duty in the armed forces**
3 **at any time who receives compensation as a result of a service-connected disability claim**
4 **allowed by the federal agency responsible for the administration of veteran's affairs, or**
5 **who receives disability retirement or disability pension benefits from a federal agency as**
6 **a result of such a disability or a National Guard veteran who was permanently disabled as**
7 **a result of active service to the state at the call of the governor;**

8 **(2) "Political subdivision", any county, city, town, or village created by law;**

9 **(3) "State agency", all political subdivisions and each department, board,**
10 **commission, or office of the state except for offices of the elected officials, the general**
11 **assembly, the judiciary, and academic institutions;**

12 **(4) "Veteran", any person who is a citizen of this state who has been separated**
13 **under honorable conditions from the Armed Forces of the United States who served on**
14 **active duty during peacetime or wartime for at least six consecutive months, unless released**
15 **early as a result of a service-connected disability or a reduction in force at the convenience**
16 **of the government, or any member of a reserve or National Guard component who has**

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

17 satisfactorily completed at least six years of service or who was called or ordered to active
18 duty by the President and participated in any campaign or expedition for which a
19 campaign badge or service medal has been authorized.

20 **2. Veterans are entitled to preference, over all other applicants, in recruitment and**
21 **selection processes by state agencies. When a veteran applies for employment to a position**
22 **not subject to chapter 36, the officer, board, or person whose duty it is to employ an**
23 **individual to fill the available position shall investigate the qualifications of the veteran.**
24 **If the veteran is found to possess the qualifications required for the position applied for,**
25 **whether educational or by way of prior experience, and is physically and mentally able to**
26 **perform the duties of the position applied for, the officer, board, or person shall employ**
27 **the veteran. A disabled veteran is entitled to a preference superior to that given other**
28 **veterans under this section, which preference shall be accorded in the manner provided in**
29 **this section. If the group of eligible individuals includes either veterans or disabled**
30 **veterans, the employing authority of that particular state agency shall make a selection for**
31 **the available position as follows:**

32 **(1) A disabled veteran is first entitled to the position and, in the absence of**
33 **justifiable cause, documented in writing, for not making that selection, shall be so**
34 **employed. If the list includes two or more disabled veterans, then the employing authority**
35 **shall fill the position from the group of eligible individuals to be considered. The**
36 **employing authority may further inquire into the qualifications of each eligible individual**
37 **from within that group through means including interviews, background checks, and skills**
38 **testing. A disabled veteran from the group of eligible individuals is first entitled to the**
39 **position and, in the absence of justifiable cause, documented in writing, for not making**
40 **that selection, shall be so employed;**

41 **(2) If the group of eligible individuals does not include one or more disabled**
42 **veterans and consists only of veterans, then the employing authority shall fill the position**
43 **from the group of eligible individuals to be considered. The employing authority**
44 **may further inquire into the qualifications of each eligible individual from within that**
45 **group through means including interviews, background checks, and skills testing. A**
46 **veteran from the group of eligible individuals is first entitled to the position and, in the**
47 **absence of justifiable cause, documented in writing, for not making that selection, shall be**
48 **so employed;**

49 **(3) If the group of eligible individuals includes nonveterans and veterans, but not**
50 **disabled veterans, then the employing authority shall fill the position from the group of**
51 **eligible individuals to be considered. The employing authority may further inquire into**
52 **the qualifications of each eligible individual from within that group through means**

53 including interviews, background checks, and skills testing. A veteran from the group of
54 eligible individuals is first entitled to the position and shall be employed unless there is
55 justifiable cause that is documented in writing for not employing that veteran.

56 3. This section does not apply when the position to be filled is that of a
57 superintendent of schools, teacher, administrative head of a department required by law,
58 or a deputy or private secretary of an elected or appointed official; the chancellor and vice
59 chancellors of the board of higher education; and presidents or executive deans, vice
60 presidents, assistants to the president, provosts, instructors, and athletic team coaches of
61 board institutions. Temporary committees and individual or group appointments made
62 by the governor or general assembly are also exempted from the provisions of this section.
63 If an exempt position is advertised, the advertisement shall state that veterans' preference
64 does not apply to the position being advertised.

65 4. An employee of a state agency is not eligible for preference when applying for
66 a different job within the same state agency or other state agencies. An employee of a
67 political subdivision is not eligible for preference when applying for a different job within
68 the same political subdivision.

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