

SECOND REGULAR SESSION

# HOUSE BILL NO. 2423

## 95TH GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVES KANDER (Sponsor), FISHER (125), HOLSMAN, WEBBER,  
DUSENBERG, SCHIEFFER AND ATKINS (Co-sponsors).

5454L.011

D. ADAM CRUMBLISS, Chief Clerk

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### AN ACT

To repeal section 36.220, RSMo, and to enact in lieu thereof two new sections relating to  
veteran's preference in state hiring.

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

Section A. Section 36.220, RSMo, is repealed and two new sections enacted in lieu  
2 thereof, to be known as sections 36.032 and 36.220, to read as follows:

36.032. 1. Any provision of law to the contrary notwithstanding, except for the  
2 elective offices, institutions of higher learning, and those provisions for which the  
3 constitution specifically provides the method of selection, every department, agency and  
4 position of the executive branch of state government shall comply with regulations adopted  
5 by the division of personnel under subsection 2 of this section and consistent with sections  
6 536.010 to 536.215 to ensure the state adopts a uniform hiring preference for the  
7 appointment and employment of veterans, disabled veterans and surviving spouses, as  
8 defined in subdivisions (7), (17) and (18) of section 36.020.

9 2. The division of personnel shall promulgate administrative rules and regulations  
10 consistent with this section and that ensure:

11 (1) For merit system agencies, any veteran or surviving spouse whose name appears  
12 on a register of eligibles and who made a passing grade shall have five points added to his  
13 or her final grade, and his or her rank on the register shall be determined on the basis of  
14 this augmented grade;

15 (2) For merit system agencies, a disabled veteran whose name appears on a register  
16 of eligibles and who made a passing grade shall have ten points added to his or her final

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 grade, and his or her rank on the register shall be determined on the basis of the  
18 augmented grade;

19 (3) For nonmerit system agencies; veterans status, disabled veterans status and  
20 surviving spouse status is assessed positively when considering an otherwise qualified  
21 candidate for an executive branch position and that additional positive consideration will  
22 be given to qualified disabled veterans candidates.

23 3. The following offices and positions are not subject to this section:

24 (1) Other provisions of the law notwithstanding, members of boards and  
25 commissions;

26 (2) Departmental directors;

27 (3) Principal assistants designated by the departmental directors;

28 (4) Division directors;

29 (5) Principal assistants designated by the division directors;

30 (6) Principal assistants for boards and commissions appointed by the governor or  
31 director of the department;

32 (7) Chaplains;

33 (8) Persons employed in an internship capacity in a state department or institution  
34 as a part of their formal training, at a college, university, business, trade or other technical  
35 school;

36 (9) Administrative heads of each state medical, penal and correctional institution;

37 (10) Deputies or other policy-making assistants;

38 (11) Special assistants as designated by an appointing authority.

39 4. The spouse of a disabled veteran shall be given the same hiring preference under  
40 the rules promulgated by the division of personnel as a veteran or surviving spouse, but  
41 only if the veteran is not employed in the state service and the disability renders him or her  
42 unqualified for entrance into the state service.

43 5. Any person who has been honorably discharged from the armed forces of the  
44 United States shall receive the appropriate credit for any training or experience gained  
45 therein in any examination if the training or experience is related to the duties of the class  
46 of positions for which the examination is given.

36.220. [1. In any competitive examination given for the purpose of establishing a  
2 register of eligibles, veterans, disabled veterans, surviving spouses and spouses of disabled  
3 veterans shall be given preference in appointment and examination in the following manner:

4 (1) A veteran, or the surviving spouse of any veteran whose name appears on a register  
5 of eligibles who made a passing grade, shall have five points added to his or her final grade, and  
6 his or her rank on the register shall be determined on the basis of this augmented grade.

7           (2) The spouse of a disabled veteran, whose name appears on a register of eligibles and  
8 who made a passing grade, shall have five points added to his or her final grade, and his or her  
9 rank on the register shall be determined on the basis of this augmented grade. This preference  
10 shall be given only if the veteran is not employed in the state service and the disability renders  
11 him or her unqualified for entrance into the state service.

12           (3) A disabled veteran, whose name appears on a register of eligibles and who made a  
13 passing grade, shall have ten points added to his or her final grade, and his or her rank on the  
14 register shall be determined on the basis of this augmented grade.

15           2.] Any person who has been honorably discharged from the armed forces of the United  
16 States shall receive appropriate credit for any training or experience gained therein in any  
17 examination if the training or experience is related to the duties of the class of positions for  
18 which the examination is given.

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