

HOUSE BILL 1181

P4

8lr3361

By: ~~Delegate P. Young~~ Delegates P. Young, Beitzel, Carozza, Chang, Gaines, Ghrist, Gutierrez, Hettleman, Jackson, Jones, Korman, Krimm, Lam, Lierman, McKay, A. Miller, Sophocleus, Valentino-Smith, and Vogt

Introduced and read first time: February 8, 2018

Assigned to: Appropriations

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 10, 2018

CHAPTER _____

1 AN ACT concerning

2 **State Personnel – Disabled Veterans – Interviews for Noncompetitive**
3 **Appointment**

4 FOR the purpose of authorizing, instead of requiring, a certain appointing authority to
5 interview a certain disabled veteran for certain State positions under certain
6 circumstances; and generally relating to the selection of certain disabled veterans
7 for State employment.

8 BY repealing and reenacting, without amendments,
9 Article – State Personnel and Pensions
10 Section 7–203(a)(5)
11 Annotated Code of Maryland
12 (2015 Replacement Volume and 2017 Supplement)

13 BY repealing and reenacting, with amendments,
14 Article – State Personnel and Pensions
15 Section 7–203(b)
16 Annotated Code of Maryland
17 (2015 Replacement Volume and 2017 Supplement)

18 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
19 That the Laws of Maryland read as follows:

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



Article – State Personnel and Pensions

7–203.

(a) An appointing authority may select candidates for a position:

(5) as provided in subsection (b) of this section.

(b) (1) An appointing authority may select a disabled veteran for a position if:

(i) the disabled veteran:

1. served in any branch of the armed forces of the United States; and

2. A. is included on a United States armed forces permanent disability list with a disability rating of at least 30%; or

B. has been rated by the United States Department of Veterans Affairs as having a compensable service-connected disability of at least 30%;

(ii) the disabled veteran presents to the appointing authority written documentation:

1. issued by an appropriate department of the federal government within the year preceding selection; and

2. certifying the existence and extent of the veteran's disability;

(iii) the appointing authority determines that the disabled veteran is qualified to perform the duties and responsibilities of the position;

(iv) the appointing authority notifies the Secretary in writing that the position is to be filled by a disabled veteran on a noncompetitive basis in accordance with this subsection; and

(v) the disabled veteran does not hold a permanent appointment or have mandatory reinstatement rights to a permanent appointment.

(2) The requirements of § 7–209 of this subtitle do not apply to a disabled veteran selected for a vacant position under paragraph (1) of this subsection.

(3) If an appointing authority elects to select a disabled veteran for a vacant position under paragraph (1) of this subsection, the appointing authority [shall] **MAY** interview any disabled veteran who:

1 (i) has expressed an interest to the appointing authority in applying
2 for the position; and

3 (ii) satisfies the requirements under paragraph (1) of this
4 subsection.

5 (4) Except as provided in paragraph (3) of this subsection, if an appointing
6 authority elects to select a disabled veteran for a vacant position under paragraph (1) of
7 this subsection, the appointing authority is not required to interview any other qualified
8 applicants for appointment to the position.

9 (5) This subsection does not require an appointing authority to select a
10 disabled veteran for a vacant position or prohibit an appointing authority from filling a
11 vacant position in accordance with the requirements of this subtitle.

12 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
13 1, 2018.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.