

# HOUSE BILL 1466

P4

7lr1537

---

By: **Delegates P. Young, Barron, Brooks, Grammer, Jackson, Krimm, Reznik, Sydnor, and Vogt**

Introduced and read first time: February 10, 2017

Assigned to: Appropriations

---

## A BILL ENTITLED

1 AN ACT concerning

2 **State Personnel – Disabled Veterans – Noncompetitive Appointment**

3 FOR the purpose of authorizing an appointing authority to select certain disabled veterans  
4 for certain positions in the State Personnel Management System using a certain  
5 selection process; requiring an appointing authority for a certain position in a unit  
6 in the Executive Branch of State government with an independent personnel system  
7 to develop a certain selection process for certain disabled veterans; providing that  
8 certain provisions of law relating to appointments to certain positions in the State  
9 Personnel Management System do not apply to the selection of certain disabled  
10 veterans under certain provisions of this Act; requiring a certain appointing  
11 authority to interview certain disabled veterans under certain circumstances;  
12 providing that an appointing authority is not required to interview certain  
13 applicants under certain circumstances; providing for the effect of certain provisions  
14 of this Act; making a conforming change; and generally relating to the appointment  
15 of disabled veterans to positions in State government.

16 BY adding to  
17 Article – State Personnel and Pensions  
18 Section 2–205  
19 Annotated Code of Maryland  
20 (2015 Replacement Volume and 2016 Supplement)

21 BY repealing and reenacting, with amendments,  
22 Article – State Personnel and Pensions  
23 Section 7–203  
24 Annotated Code of Maryland  
25 (2015 Replacement Volume and 2016 Supplement)

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

---

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.





1                   **2. A. IS INCLUDED ON A UNITED STATES ARMED**  
2 **FORCES PERMANENT DISABILITY LIST WITH A DISABILITY RATING OF AT LEAST 30%;**  
3 **OR**

4                   **B. HAS BEEN RATED BY THE UNITED STATES**  
5 **DEPARTMENT OF VETERANS AFFAIRS AS HAVING A COMPENSABLE**  
6 **SERVICE-CONNECTED DISABILITY OF AT LEAST 30%;**

7                   **(II) THE DISABLED VETERAN PRESENTS TO THE APPOINTING**  
8 **AUTHORITY WRITTEN DOCUMENTATION:**

9                   **1. ISSUED BY AN APPROPRIATE DEPARTMENT OF THE**  
10 **FEDERAL GOVERNMENT WITHIN THE YEAR PRECEDING SELECTION; AND**

11                   **2. CERTIFYING THE EXISTENCE AND EXTENT OF THE**  
12 **VETERAN'S DISABILITY;**

13                   **(III) THE APPOINTING AUTHORITY DETERMINES THAT THE**  
14 **DISABLED VETERAN IS QUALIFIED TO PERFORM THE DUTIES AND RESPONSIBILITIES**  
15 **OF THE POSITION;**

16                   **(IV) THE APPOINTING AUTHORITY NOTIFIES THE SECRETARY IN**  
17 **WRITING THAT THE POSITION IS TO BE FILLED BY A DISABLED VETERAN ON A**  
18 **NONCOMPETITIVE BASIS IN ACCORDANCE WITH THIS SUBSECTION; AND**

19                   **(V) THE DISABLED VETERAN DOES NOT HOLD A PERMANENT**  
20 **APPOINTMENT OR HAVE MANDATORY REINSTATEMENT RIGHTS TO A PERMANENT**  
21 **APPOINTMENT.**

22                   **(2) THE REQUIREMENTS OF § 7-209 OF THIS SUBTITLE DO NOT APPLY**  
23 **TO A DISABLED VETERAN SELECTED FOR A VACANT POSITION UNDER PARAGRAPH**  
24 **(1) OF THIS SUBSECTION.**

25                   **(3) IF AN APPOINTING AUTHORITY ELECTS TO SELECT A DISABLED**  
26 **VETERAN FOR A VACANT POSITION UNDER PARAGRAPH (1) OF THIS SUBSECTION,**  
27 **THE APPOINTING AUTHORITY SHALL INTERVIEW ANY DISABLED VETERAN WHO:**

28                   **(I) HAS EXPRESSED AN INTEREST TO THE APPOINTING**  
29 **AUTHORITY IN APPLYING FOR THE POSITION; AND**

30                   **(II) SATISFIES THE REQUIREMENTS UNDER PARAGRAPH (1) OF**  
31 **THIS SUBSECTION.**

1           **(4) EXCEPT AS PROVIDED IN PARAGRAPH (3) OF THIS SUBSECTION, IF**  
2 **AN APPOINTING AUTHORITY ELECTS TO SELECT A DISABLED VETERAN FOR A**  
3 **VACANT POSITION UNDER PARAGRAPH (1) OF THIS SUBSECTION, THE APPOINTING**  
4 **AUTHORITY IS NOT REQUIRED TO INTERVIEW ANY OTHER QUALIFIED APPLICANTS**  
5 **FOR APPOINTMENT TO THE POSITION.**

6           **(5) THIS SUBSECTION DOES NOT REQUIRE AN APPOINTING**  
7 **AUTHORITY TO SELECT A DISABLED VETERAN FOR A VACANT POSITION OR PROHIBIT**  
8 **AN APPOINTING AUTHORITY FROM FILLING A VACANT POSITION IN ACCORDANCE**  
9 **WITH THE REQUIREMENTS OF THIS SUBTITLE.**

10           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
11   October 1, 2017.