

HOUSE BILL 1181

P4

8lr3361

By: **Delegate P. Young**

Introduced and read first time: February 8, 2018

Assigned to: Appropriations

A BILL ENTITLED

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:

20 **Article – State Personnel and Pensions**

21 7–203.

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

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

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



- 1 (b) (1) An appointing authority may select a disabled veteran for a position if:
- 2 (i) the disabled veteran:
- 3 1. served in any branch of the armed forces of the United
4 States; and
- 5 2. A. is included on a United States armed forces
6 permanent disability list with a disability rating of at least 30%; or
- 7 B. has been rated by the United States Department of
8 Veterans Affairs as having a compensable service-connected disability of at least 30%;
- 9 (ii) the disabled veteran presents to the appointing authority written
10 documentation:
- 11 1. issued by an appropriate department of the federal
12 government within the year preceding selection; and
- 13 2. certifying the existence and extent of the veteran's
14 disability;
- 15 (iii) the appointing authority determines that the disabled veteran is
16 qualified to perform the duties and responsibilities of the position;
- 17 (iv) the appointing authority notifies the Secretary in writing that
18 the position is to be filled by a disabled veteran on a noncompetitive basis in accordance
19 with this subsection; and
- 20 (v) the disabled veteran does not hold a permanent appointment or
21 have mandatory reinstatement rights to a permanent appointment.
- 22 (2) The requirements of § 7–209 of this subtitle do not apply to a disabled
23 veteran selected for a vacant position under paragraph (1) of this subsection.
- 24 (3) If an appointing authority elects to select a disabled veteran for a
25 vacant position under paragraph (1) of this subsection, the appointing authority [shall]
26 **MAY** interview any disabled veteran who:
- 27 (i) has expressed an interest to the appointing authority in applying
28 for the position; and
- 29 (ii) satisfies the requirements under paragraph (1) of this
30 subsection.
- 31 (4) Except as provided in paragraph (3) of this subsection, if an appointing
32 authority elects to select a disabled veteran for a vacant position under paragraph (1) of

1 this subsection, the appointing authority is not required to interview any other qualified
2 applicants for appointment to the position.

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

6 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
7 1, 2018.