

1 HB448
2 166118-1
3 By Representatives Drake and Carns
4 RFD: Military and Veterans Affairs
5 First Read: 09-APR-15

2
3
4
5
6
7
8 SYNOPSIS: Under existing law, the State Director of
9 Personnel may add to any certification for
10 employment the name of a disabled person certified
11 by the Department of Rehabilitation Services as
12 being eligible for rehabilitation services.

13 This bill would authorize the State Director
14 of Personnel to add to any certification for
15 employment the name of a disabled person certified
16 by the Alabama Department of Veterans Affairs as
17 being eligible for rehabilitation services or
18 preference consideration.

19 This bill would authorize the State Director
20 of Personnel to add to any certification for
21 promotion the name of a veteran verified by the
22 United States Department of Veterans Affairs as
23 having a service-connected disability of at least
24 50 percent.

25 This bill would also provide that the State
26 Director of Personnel need not give preference in
27 certification for employment or promotion if the

1 director finds the person is physically or
2 otherwise unfit to perform effectively the duties
3 of the position in which the person seeks
4 employment or promotion.

5
6 A BILL
7 TO BE ENTITLED
8 AN ACT

9
10 Relating to the employment and promotion of disabled
11 veterans in state government; to amend Section 36-26-16, Code
12 of Alabama 1975; to authorize the State Director of Personnel
13 to add to any certification for employment the name of a
14 disabled person certified by the Alabama Department of
15 Veterans Affairs as being eligible for rehabilitation services
16 or preference consideration; to authorize the State Director
17 of Personnel to add to any certification for promotion the
18 name of a veteran verified by the United States Department of
19 Veterans Affairs as having a service-connected disability of
20 at least 50 percent; and to provide that the State Director of
21 Personnel need not give preference in certification for
22 employment or promotion if the director finds the person is
23 physically or otherwise unfit to perform effectively the
24 duties of the position in which the person seeks employment or
25 promotion.

26 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

1 Section 1. Section 36-26-16, Code of Alabama 1975,
2 is amended to read as follows:

3 "§36-26-16.

4 "The State Director of Personnel shall, upon the
5 request of an appointing authority, add to any certification
6 ~~of three eligible~~ for employment the name of any ~~handicapped~~
7 disabled person on the eligible list who is certified by the
8 Director of the Department of Rehabilitation Services or the
9 Commissioner of the Alabama Department of Veterans Affairs, as
10 being eligible for rehabilitation services or preference
11 consideration; but, the State Director of ~~the Department of~~
12 Personnel may nevertheless not give preference in
13 certification for employment to any ~~handicapped~~ disabled
14 person if ~~he~~ the director finds such person is physically or
15 otherwise unfit to perform effectively the duties of the
16 position in which ~~he~~ the person seeks employment."

17 Section 2. The State Director of Personnel shall,
18 upon the request of an appointing authority, add to any
19 certification for promotion the name of any person on the
20 eligible list who has served in the Armed Forces of the United
21 States at any time, has been honorably discharged, and has
22 established by official records of the United States
23 Department of Veterans Affairs the present existence of a
24 service-connected disability of at least 50 percent; but, the
25 State Director of Personnel may nevertheless not give
26 preference in certification for promotion to any disabled
27 veteran if the director finds such person is physically or

1 otherwise unfit to perform effectively the duties of the
2 position in which the person seeks promotion.

3 Section 3. This act shall become effective
4 immediately following its passage and approval by the
5 Governor, or its otherwise becoming law.