

HB307 ENGROSSED



1 HB307

2 4UFNBI3-2

3 By Representatives Rehm, Starnes, Oliver, Treadaway, Wood (R),

4 Brown, Marques, Smith, Paschal, Ross, Gidley, Butler,

5 Lipscomb, Sellers, Lamb, Moore (P), Wilcox, Hurst, Lee,

6 Blackshear

7 RFD: Military and Veterans' Affairs

8 First Read: 21-Jan-26



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A BILL
TO BE ENTITLED
AN ACT

Relating to military spouse hiring preference; to amend Section 36-26-15, Code of Alabama 1975, to provide spouses of active duty service members with additional points on ratings for state employment; to authorize political subdivisions and private employers to give preference to veterans and the spouses of veterans and active duty service members when considering these individuals for employment; and to make nonsubstantive, technical revisions to update the existing code language to current style.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 36-26-15, Code of Alabama 1975, is amended to read as follows:

"§36-26-15

(a) For purposes of this section, the following terms have the following meanings:

(1) ACTIVE DUTY SERVICE MEMBER. An individual who is on active duty as a member of the National Guard or a reserve or active component of the Armed Forces of the United States.

(2) VETERAN. An individual who has ever served in the National Guard or a reserve or active component of the Armed Forces of the United States and been honorably discharged.



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29 (b) (1) The director shall conduct tests to establish
30 employment registers for the various classes of positions in
31 the classified service. The tests shall take into
32 consideration elements of character, reputation, education,
33 aptitude, experience, knowledge, skill, personality, physical
34 fitness, and other pertinent matters and may be written or
35 oral or any other demonstration of fitness as the director may
36 determine. For a promotion test, the qualifications shall
37 include the requirement that an applicant be employed in a
38 ~~position in such~~ within a class and for ~~such~~ a length of time,
39 as the director shall specify, subject to the rules.

40 (2) Public notice of the time, place, and general scope
41 of every test shall be given. The director, with the approval
42 of the board, shall determine the qualifications for admission
43 to any test. Admission to tests shall be open to all ~~persons~~
44 individuals who appear to possess the required qualifications
45 and may be lawfully appointed to a position in the class for
46 which a list is to be established, ~~and no.~~ No fee ~~shall~~ may be
47 charged ~~therefor~~ for admission to a test. The director may ~~7~~
48 ~~however,~~ reject the application of any ~~person~~ individual for
49 admission to a test ~~or may,~~ strike the name of any ~~person~~
50 individual from a list, or refuse to certify the name of any
51 ~~person~~ individual on a list for a position if he or she finds
52 that ~~such person lacks~~ the individual:

53 a. Lacks any of the required qualifications or is
54 physically unfit to perform effectively the duties of the
55 position in which he or she seeks employment;

56 b. ~~or is~~ Is addicted to the habitual excessive use of



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57 drugs or intoxicating liquor ~~or has;~~

58 c. Has been convicted of a crime involving moral
59 turpitude or is guilty of any notoriously disgraceful conduct
60 ~~or;~~

61 d. ~~has~~ Has been dismissed from the public service for
62 delinquency; or

63 e. ~~has~~ Has made a false statement of a material fact
64 or practiced or attempted to practice any fraud or deception
65 in his or her application or test or in attempting to secure
66 appointment.

67 ~~(b) (c) (1) All persons who have been honorably~~
68 ~~discharged from the Army, Navy, Air Force, Marine Corps or~~
69 ~~Coast Guard who have ever served in the armed forces of the~~
70 ~~United States at any time~~ A veteran, and the spouse of a
71 veteran, shall have five points added to any earned ratings in
72 examination for entrance to the classified service.

73 (2) The spouse of an active duty service member shall
74 have five points added to any earned ratings.

75 ~~(3) All persons who have ever served in the armed~~
76 ~~forces of the United States at any time who have been~~
77 ~~honorably discharged and~~ A veteran ~~who established~~ establishes
78 by official records of the United States ~~the present existence~~
79 ~~of~~ that he or she has a service-connected disability and
80 because of the disability ~~are~~ is entitled to pension,
81 compensation, or disability allowance under existing laws ~~and~~
82 ~~widows of such persons who shall have died in line of duty~~
83 ~~during any such period and widows of such persons who shall~~
84 ~~have been honorably discharged from the Army, Navy, Air Force,~~



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85 ~~Marine Corps or Coast Guard and wives of such persons who~~
86 ~~shall have been honorably discharged from the Army, Navy, Air~~
87 ~~Force, Marine Corps or Coast Guard who, because of~~
88 ~~service-connected disability are not themselves qualified but~~
89 ~~whose wives are qualified,, and the spouse of such a veteran,~~
90 shall have 10 points added to any earned ratings.

91 (4) The surviving spouse of an active duty service
92 member who died in the line of duty shall have 10 points added
93 to any earned ratings.

94 (d) (1) In entering upon registers the names of
95 preference claimants name of an individual entitled to five
96 additional points, they will the individual shall take the
97 place to which their ratings entitle them his or her rating
98 entitles him or her on the register with nonveterans (, the
99 earned ratings augmented by the five points to which they are
100 he or she is entitled), and will shall be certified when their
101 ratings are his or her rating is reached.

102 (2) The name of a veteran an individual with military
103 preference with the an augmented rating is shall be entered
104 ahead of the name of a nonveteran an individual without
105 military preference when their ratings are the same.

106 (3) The names of persons name of an individual entitled
107 to a 10-point preference, however, will shall be placed ahead
108 of all others on the a register with the same rating (ahead of
109 veterans, including individuals entitled to a five-point
110 preference and nonveterans), individuals without military
111 preference, and shall be then be certified in the order of
112 their augmented ratings.



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113 (e) An appointing officer who passes over ~~a~~ an eligible
114 veteran ~~eligible~~ and selects a nonveteran with the same or
115 lower rating shall file with the director the reasons for so
116 doing, ~~which reasons will~~ which shall become a part of the
117 veteran's record but ~~will~~ may not be made available to anyone
118 other than the veteran ~~himself~~, except in the discretion of
119 the appointing officer.

120 (f) When reductions are being made in any part of the
121 classified service, ~~persons~~ individuals entitled to military
122 preference in appointment shall be the last to be discharged
123 ~~or~~ dropped, or reduced in rank or salary if their record is
124 good or if their efficiency rating is equal to that of any
125 employee in competition with them who is retained in the
126 service in their department.

127 ~~(e)~~ (g) The board ~~shall~~, in establishing and
128 administering standards of personnel qualifications, pay
129 plans, and tests both for current and future personnel ~~now in~~
130 ~~place as well as that later employed~~, shall cooperate with and
131 avail itself fully of the advice and assistance of the
132 appointing authorities involved and of the federal government
133 in those departments administered in whole or in part with
134 federal funds."

135 Section 2. (a) For purposes of this section, the
136 following terms have the following meanings:

137 (1) ACTIVE DUTY SERVICE MEMBER. An individual that is
138 on active duty as a member of the National Guard or a reserve
139 or active component of the Armed Forces of the United States.

140 (2) ELIGIBLE VETERAN. An individual who has ever served



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141 in the National Guard or a reserve or active component of the
142 Armed Forces of the United States and been honorably
143 discharged.

144 (b) A county, municipality, or other political
145 subdivision of the state may grant a preference in hiring and
146 promotion to any of the following individuals:

- 147 (1) An eligible veteran;
- 148 (2) The spouse of an eligible veteran;
- 149 (3) The spouse of an active duty service member; and
- 150 (4) The surviving spouse of a deceased eligible
151 veteran.

152 (c) A political subdivision that grants preference in
153 hiring or promotion pursuant to subsection (b) may adopt an
154 ordinance providing for the implementation of the preference.

155 Section 3. (a) For purposes of this section, the
156 following terms have the following meanings:

157 (1) ACTIVE DUTY SERVICE MEMBER. An individual that is
158 on active duty as a member of the National Guard or a reserve
159 or active component of the Armed Forces of the United States.

160 (2) PRIVATE EMPLOYER. A sole proprietorship,
161 corporation, partnership, association, limited liability
162 corporation, or any other entity with one or more employees.

163 (3) VETERAN. An individual who has ever served in the
164 National Guard or a reserve or active component of the Armed
165 Forces of the United States and been honorably discharged.

166 (b) A private employer may adopt a voluntary veterans'
167 preference employment policy. Such a policy shall be in
168 writing and applied uniformly to the hiring and promotion



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169 decisions of the employer.

170 (c) A private employer may offer a voluntary veterans'
171 preference employment policy to all of the following:

172 (1) A veteran who submits to the employer a copy of the
173 veteran's Department of Defense Form 214 or its successor form
174 or record.

175 (2) The spouse of a veteran who submits to the
176 employer:

177 a. A copy of the veteran's Department of Defense Form
178 214 or its successor form or record; and

179 b. Proof of marriage to the veteran.

180 (3)a. A spouse of an active duty service member who
181 submits to the employer proof of the service member's active
182 status and proof of marriage to the service member.

183 b. Preference provided to a spouse of an active duty
184 service member is limited to the time during which the service
185 member remains on active duty and up to 180 days after the
186 service member's discharge or separation from service.

187 (d) (1) A private employer that implements a voluntary
188 veterans' preference employment policy shall notify the
189 Alabama Department of Workforce of the policy. The department
190 shall use the information to maintain a registry of the
191 private employers that have a voluntary veterans' preference
192 employment policy in the state, and shall make the registry
193 available on the department's website.

194 (2) The department shall establish and maintain a page
195 on the department's website through which this information may
196 be submitted to the department.



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197 (e) A voluntary veterans' preference employment policy
198 shall not be considered a violation of any state or local law.
199 Section 4. This act shall become effective on January
200 1, 2027.



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House of Representatives

Read for the first time and referred21-Jan-26
to the House of Representatives
committee on Military and Veterans'
Affairs
Read for the second time and placed29-Jan-26
on the calendar:
1 amendment
Read for the third time and passed03-Mar-26
as amended
Yeas 103
Nays 0
Abstains 0

John Treadwell
Clerk