

SB55 INTRODUCED



1 SB55

2 XD33VEE-1

3 By Senators Barfoot, Jones, Roberts, Elliott, Stutts, Kelley,
4 Bell, Weaver, Butler

5 RFD: Veterans, Military Affairs and Public Safety

6 First Read: 13-Jan-26



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3 SYNOPSIS:

4 Under existing law, the spouses of certain
5 military veterans are provided additional points on
6 open competitive employment tests for positions in the
7 classified state service.

8 This bill would require the spouses of active
9 duty service members to have additional points added to
10 their ratings for these positions.

11 This bill would authorize political subdivisions
12 of the state and private employers to grant veterans
13 and their spouses and spouses of active duty service
14 members preference in hiring and promotion.

15 This bill would also make nonsubstantive,
16 technical revisions to update the existing code
17 language to current style.

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20 A BILL

21 TO BE ENTITLED

22 AN ACT

23

24 Relating to military spouse hiring preference; to amend
25 Section 36-26-15, Code of Alabama 1975, to provide spouses of
26 active duty service members with additional points on ratings
27 for state employment; to authorize political subdivisions and
28 private employers to give preference to veterans and the

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29 spouses of veterans and active duty service members when
30 considering these individuals for employment; and to make
31 nonsubstantive, technical revisions to update the existing
32 code language to current style.

33 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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

36 "§36-26-15

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

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

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

45 (b) (1) The director shall conduct tests to establish
46 employment registers for the various classes of positions in
47 the classified service. The tests shall take into
48 consideration elements of character, reputation, education,
49 aptitude, experience, knowledge, skill, personality, physical
50 fitness, and other pertinent matters and may be written or
51 oral or any other demonstration of fitness as the director may
52 determine. For a promotion test, the qualifications shall
53 include the requirement that an applicant be employed in a
54 position ~~in such~~ within a class and for ~~such~~ a length of time,
55 as the director shall specify, subject to the rules.

56 (2) Public notice of the time, place, and general scope



57 of every test shall be given. The director, with the approval
58 of the board, shall determine the qualifications for admission
59 to any test. Admission to tests shall be open to all ~~persons~~
60 individuals who appear to possess the required qualifications
61 and may be lawfully appointed to a position in the class for
62 which a list is to be established, ~~and no~~. No fee ~~shall~~ may be
63 charged ~~therefor~~ for admission to a test. The director may,
64 ~~however~~, reject the application of any ~~person~~ individual for
65 admission to a test ~~or may~~, strike the name of any ~~person~~
66 individual from a list, or refuse to certify the name of any
67 ~~person~~ individual on a list for a position if he or she finds
68 that ~~such person lacks~~ the individual:

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

72 b. ~~or is~~ Is addicted to the habitual excessive use of
73 drugs or intoxicating liquor ~~or has~~;

74 c. Has been convicted of a crime involving moral
75 turpitude or is guilty of any notoriously disgraceful conduct
76 ~~or~~;

77 d. ~~has~~ Has been dismissed from the public service for
78 delinquency; or

79 e. ~~has~~ Has made a false statement of a material fact
80 or practiced or attempted to practice any fraud or deception
81 in his or her application or test or in attempting to secure
82 appointment.

83 ~~(b) (c) (1) All persons who have been honorably~~
84 ~~discharged from the Army, Navy, Air Force, Marine Corps or~~



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85 ~~Coast Guard who have ever served in the armed forces of the~~
86 ~~United States at any time~~ A veteran, and the spouse of a
87 veteran, shall have five points added to any earned ratings in
88 examination for entrance to the classified service.

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

91 (3) All persons who have ever served in the armed
92 ~~forces of the United States at any time who have been~~
93 ~~honorably discharged and A veteran who established establishes~~
94 by official records of the United States~~the present existence~~
95 ~~of that he or she has~~ a service-connected disability and
96 because of the disability~~are is~~ entitled to pension,
97 compensation~~,~~ or disability allowance under existing laws~~and~~
98 ~~widows of such persons who shall have died in line of duty~~
99 ~~during any such period and widows of such persons who shall~~
100 ~~have been honorably discharged from the Army, Navy, Air Force,~~
101 ~~Marine Corps or Coast Guard and wives of such persons who~~
102 ~~shall have been honorably discharged from the Army, Navy, Air~~
103 ~~Force, Marine Corps or Coast Guard who, because of~~
104 ~~service-connected disability are not themselves qualified but~~
105 ~~whose wives are qualified, and the spouse of such a veteran,~~
106 shall have 10 points added to any earned ratings.

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

110 (d) (1) In entering upon registers the names of
111 ~~preference claimants~~ name of an individual entitled to five
112 additional points, ~~they will~~ the individual shall take the



113 place to which ~~their ratings entitle them his or her rating~~
 114 ~~entitles him or her~~ on the register with nonveterans ~~-,~~ the
 115 earned ratings augmented by the five points to which ~~they are~~
 116 ~~he or she is~~ entitled ~~-,~~ and ~~will shall~~ be certified when ~~their~~
 117 ~~ratings are~~ his or her rating is reached.

118 (2) The name of a veteran with ~~the an~~ augmented rating
 119 ~~is shall be~~ entered ahead of the name of a nonveteran when
 120 their ratings are the same.

121 (3) The ~~names of persons~~ name of an individual entitled
 122 to a 10-point preference, ~~however, will shall~~ be placed ahead
 123 of all others on ~~the a~~ register with the same rating ~~-, ahead~~
 124 ~~of~~ including veterans entitled to a five-point preference and
 125 nonveterans ~~-,~~ and shall ~~be~~ then be certified in the order of
 126 their augmented ratings.

127 (e) An appointing officer who passes over ~~a~~ an eligible
 128 veteran ~~eligible~~ and selects a nonveteran with the same or
 129 lower rating shall file with the director the reasons for so
 130 doing, ~~which reasons will~~ which shall become a part of the
 131 veteran's record but ~~will~~ may not be made available to anyone
 132 other than the veteran ~~himself,~~ except in the discretion of
 133 the appointing officer.

134 (f) When reductions are being made in any part of the
 135 classified service, ~~persons~~ individuals entitled to military
 136 preference in appointment shall be the last to be discharged
 137 ~~or,~~ dropped, or reduced in rank or salary if their record is
 138 good or if their efficiency rating is equal to that of any
 139 employee in competition with them who is retained in the
 140 service in their department.



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141 ~~(c)~~ (g) The board ~~shall~~, in establishing and
142 administering standards of personnel qualifications, pay
143 plans, and tests both for current and future personnel ~~now in~~
144 ~~place as well as that later employed~~, shall cooperate with and
145 avail itself fully of the advice and assistance of the
146 appointing authorities involved and of the federal government
147 in those departments administered in whole or in part with
148 federal funds."

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

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

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

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

161 (1) An eligible veteran;
162 (2) The spouse of an eligible veteran;
163 (3) The spouse of an active duty service member; and
164 (4) The surviving spouse of a deceased eligible
165 veteran.

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

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

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

174 (2) PRIVATE EMPLOYER. A sole proprietorship,
175 corporation, partnership, association, limited liability
176 corporation, or any other entity with one or more employees.

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

180 (b) A private employer may adopt a voluntary veterans'
181 preference employment policy. Such a policy shall be in
182 writing and applied uniformly to the hiring and promotion
183 decisions of the employer.

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

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

189 (2) The spouse of a veteran who submits to the
190 employer:

191 a. A copy of the veteran's Department of Defense Form
192 214 or its successor form or record; and

193 b. Proof of marriage to the veteran.

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



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

201 (d) (1) A private employer that implements a voluntary
202 veterans' preference employment policy shall notify the
203 Alabama Department of Workforce of the policy. The department
204 shall use the information to maintain a registry of the
205 private employers that have a voluntary veterans' preference
206 employment policy in the state, and shall make the registry
207 available on the department's website.

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

211 (e) A voluntary veterans' preference employment policy
212 shall not be considered a violation of any state or local law.

213 Section 4. This act shall become effective on October
214 1, 2026.