

Stricken language would be deleted from and underlined language would be added to present law.

State of Arkansas
89th General Assembly
Regular Session, 2013

As Engrossed: S3/14/13
A Bill

HOUSE BILL 1518

By: Representative Hammer

By: Senator J. English

For An Act To Be Entitled

AN ACT TO ENSURE THAT VETERANS ARE PROVIDED DOCUMENTS UNDER THE VETERANS PREFERENCE LAW; TO CLARIFY THE VETERANS PREFERENCE LAW TO ENSURE COMPLIANCE; AND FOR OTHER PURPOSES.

Subtitle

TO ENSURE THAT VETERANS ARE PROVIDED DOCUMENTS UNDER THE VETERANS PREFERENCE LAW AND CLARIFY THE VETERANS PREFERENCE LAW TO ENSURE COMPLIANCE.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. Arkansas Code § 21-3-302(d), regarding the Veterans Preference Law, is amended to read as follows:

(d)(1)(A) ~~If there is an examination, evaluation, or similar instrument is given for the purpose of establishing an interview or employment list for such public sector jobs to establish a list of qualified candidates to be interviewed for a position at a state agency or institution of higher education subject to the Uniform Classification and Compensation Act, § 21-5-201 et seq., and a person an applicant entitled to a veterans preference under this section attains a passing grade thereon, he or she the applicant shall have five (5) points added to his or her final earned rating if the examination, evaluation, or similar instrument is subject to numerical scoring.~~

(B) If a veteran is not selected for a position for which



the successful candidate was selected based on a numerical score, at the veteran's request the selection authority shall provide the veteran with his or her base score, adjusted score, and the successful candidate's score.

(2)(A) If the examination, evaluation, or similar instrument is not subject to numerical scoring, the selection authority ~~must be able to~~ shall demonstrate how veterans preference was ~~arrived at~~ applied in developing a list of qualified candidates to be interviewed and in the selection process selecting the successful candidate for the position.

(B) If the selection authority used a scoring method other than numerical scoring, at the veteran's request the selection authority shall provide all documentation to the veteran to demonstrate to the veteran how the veterans preference was used to:

(i) Develop a list of qualified candidates to be interviewed; and

(ii) Select the successful candidate for the position.

(3)(A) A veteran who established by the records of the federal Department of Veterans Affairs the existence of a service-connected disability, or a veteran who is over fifty-five (55) years of age, disabled, and entitled to a pension or compensation under existing laws, or the spouse of such a veteran with a service-connected disability, whose disability disqualifies him or her for ~~appointment~~ selection shall have ten (10) points instead of five (5) points added to his or her final earned rating on the examination, evaluation, or similar instrument.

(B) If a veteran is not selected for a position for which the successful candidate was selected based on a numerical score, at the veteran's request the selection authority shall provide the veteran with his or her base score, adjusted score, and the successful candidate's score.

(4) This subsection (d) does not require the selection authority to provide the veteran with testing materials or any other information concerning the successful candidate or other applicants that is not authorized for release under this subsection or authorized for release to the public under the Freedom of Information Act of 1967, § 25-19-101 et seq.

SECTION 2. Arkansas Code § 21-3-303 is amended to read as follows:
21-3-303. Failure to hire ~~disabled~~ a veteran.

(a) If requested by the veteran applicant and in addition to the requirements under § 21-3-302(d), a hiring official or selection authority passes over the name of any service-connected disabled veteran appearing on an interview or employment list, the hiring official must for a state agency or institution of higher education subject to the Uniform Classification and Compensation Act, § 21-5-201 et seq., shall submit in writing to the veteran the reason the veteran was not:

(1) therefor Included on a list of qualified candidates to be interviewed and attach the reason to the employment application; and

(2) Selected for the position.

(b) The written reason provided under this section shall become a part of the employment application records of the ~~department, agency, or institution of higher education~~ state agency or institution of higher education subject to the Uniform Classification and Compensation Act, § 21-5-201 et seq., and be retained for the same period of time as all other employment applications as established by law or agency policy.

/s/Hammer