

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2025

H.B. 114
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HOUSE PRINCIPAL CLERK

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HOUSE BILL DRH50001-LM-22C

Short Title: Employment Preference for Military Personnel. (Public)

Sponsors: Representative Charles Smith.

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT REVISING THE EMPLOYMENT PREFERENCE FOR MILITARY PERSONNEL
3 TO ELIMINATE REQUIREMENTS RELATED TO PERIOD OF WAR AND TO
4 INCLUDE PERSONS SERVING ON ACTIVE DUTY, MEMBERS OF THE ARMED
5 FORCES RESERVE, AND THEIR SPOUSES AND DEPENDENTS.

6 The General Assembly of North Carolina enacts:

7 **SECTION 1.** G.S. 128-15 reads as rewritten:

8 "**§ 128-15. Employment preference for ~~veterans~~ military personnel and ~~their spouses or~~
9 ~~surviving~~ military spouses.**

10 (a) It shall be the policy of the State of North Carolina that, in appreciation for their
11 service to this State and this ~~country during a period of war,~~ country, and in recognition of the
12 time and advantage lost toward the pursuit of a civilian career, ~~veterans and eligible members of~~
13 ~~the National Guard~~ the following military personnel and their spouses and dependents shall be
14 granted preference in employment with every State department, agency, and
15 ~~institution.~~ institution:

- 16 (1) A "veteran" which, for purposes of this section, means a person who served
17 in the Armed Forces of the United States on active duty, for reasons other than
18 training, and has been discharged under honorable conditions.
19 (2) A person serving on active duty as long as the person complies with federal
20 law and regulations regarding off-duty employment.
21 (3) A member of the United States Armed Forces Reserve.
22 (4) A member of the National Guard.
23 (5) A spouse of a person who qualifies under subdivisions (1) through (4) of this
24 subsection.
25 (6) A spouse or dependent of a disabled person who qualifies under subdivisions
26 (1) through (4) of this subsection.
27 (7) A spouse or dependent of a person who qualifies under subdivisions (1)
28 through (4) of this subsection and was killed while on active duty.

29 (b) As used in this section:

- 30 (1) ~~Period of war.~~ World War I (April 16, 1917, through November 11, 1918),
31 World War II (December 7, 1941, through December 31, 1946), the Korean
32 Conflict (June 27, 1950, through January 31, 1955), the period of time
33 between January 31, 1955, and the end of the hostilities in Vietnam (May 7,
34 1975), or any other campaign, expedition, or engagement for which a
35 campaign badge or medal is authorized by the United States Department of
36 Defense.



- 1 (2) ~~Veteran.—A person who served in the Armed Forces of the United States on~~
2 ~~active duty, for reasons other than training, and has been discharged under~~
3 ~~other than dishonorable conditions.~~
- 4 (3) ~~Eligible veteran.—Any of the following:~~
5 ~~a. A veteran who served during a period of war.~~
6 ~~b. The spouse of a disabled veteran.~~
7 ~~c. The surviving spouse or dependent of a veteran who dies on active~~
8 ~~duty during a period of war either directly or indirectly as the result of~~
9 ~~such service.~~
10 ~~d. A veteran who suffered a disabling injury for service related reasons~~
11 ~~during peacetime.~~
12 ~~e. The spouse of a veteran described in sub-subdivision d. of this~~
13 ~~subdivision.~~
14 ~~f. The surviving spouse or dependent of a person who served in the~~
15 ~~Armed Forces of the United States on active duty, for reasons other~~
16 ~~than training, who dies for service related reasons during peacetime.~~
- 17 (4) ~~Eligible member of the National Guard.—Any of the following:~~
18 ~~a. A resident of North Carolina who is a current member in good standing~~
19 ~~of either the North Carolina Army National Guard or the North~~
20 ~~Carolina Air National Guard.~~
21 ~~b. A resident of North Carolina who is a former member of either the~~
22 ~~North Carolina Army National Guard or the North Carolina Air~~
23 ~~National Guard, whose discharge is under honorable conditions with~~
24 ~~a minimum of six years of creditable service.~~
25 ~~c. The surviving spouse and dependent of a member of the North~~
26 ~~Carolina Army National Guard or the North Carolina Air National~~
27 ~~Guard who dies on State active duty either directly or indirectly as a~~
28 ~~result of that service.~~
29 ~~d. The surviving spouse or dependent of a member of the North Carolina~~
30 ~~National Guard who died for service related reasons during peacetime.~~
- 31 (c) Hereafter, in all evaluations of applicants for positions with this State or any of its
32 departments, institutions or agencies, a preference shall be awarded to all ~~eligible veterans and~~
33 ~~eligible members of the National Guard who are citizens of the State and who served the State~~
34 ~~or the United States honorably in the military forces of this State or of the United States during~~
35 ~~a period of war. military personnel and their spouses and dependents listed in subsection (a) of~~
36 ~~this section.~~ This preference applies to initial employment with the State and extends to other
37 employment events including subsequent hirings, promotions, reassignments, and horizontal
38 transfers.
- 39 (d) The provisions of this section shall be subject to the provisions of Article 1 of Chapter
40 165 of the General Statutes, G.S. 126-83, and Parts 13 and 19 of Article 9 of Chapter 143B of
41 the General Statutes."
- 42 **SECTION 2.** This act is effective when it becomes law and applies to applications
43 and other employment events occurring on or after that date.