



NATIONAL CONFERENCE *of* STATE LEGISLATURES

The Forum for America's Ideas

7700 East First Place Denver, Colorado 80230
 303-364-7700 Fax: 303-364-7800

Veterans' Preferences in State Hiring

October 18, 2013

State	Statutory Citation	Preference Points Awarded in Initial Examinations/Hiring				State Residency Requirements	Enforcement
		Veterans	Disabled Veterans/PO Ws	National Guard	Spouse or Surviving Spouse		
Alabama	Ala. Code §36-26-15	Five points	Ten points		Ten points	Not specified	
Alaska	Alaska Stat. §39.25.150	Five percent	Ten percent	Five percent		Not specified	
	Alaska Stat. §39.25.159						
Arizona	Ariz. Rev. Stat. §38-491 <i>et seq.</i>	Five points	Ten points		Five points	Not specified	A person who violates the law is guilty of a class 2 misdemeanor. An officer or person charged with administering a civil service or merit system of

							employment who knowingly refuses or fails to observe the law in selecting a public employee or grading exams is guilty of a class 3 misdemeanor (§38-494).
Arkansas	Ark. Stat. Ann. §21-3-301 <i>et seq.</i> (2013 HB 1518)	Five points	Ten points	Five points	Ten points if spouse is disabled	Yes	
California	Cal. Govt. Code §18971 <i>et seq.</i>	Ten points	Fifteen points	Ten points If disabled, fifteen points	5 or 10 points as specified.	Not specified	
	Cal. Govt. Code §§19997.6 – 19997.7						
Colorado	Colo. Const. Art. XII, §15	Five points	Ten points		Five points	Not specified	All applicants have the right to appeal the denial of veterans preference points before a three-member panel (§29-5.5-105).
	Colo. Rev. Stat. §29-5.5-101 <i>et seq.</i>						
Connecticut	Conn. Gen. Stat. §5-224	Five points	Ten points		Five points If disabled, ten points	Not specified	
	Conn. Gen. Stat. §7-415						
Delaware	29 Del. Code Ann. §5935	Five points	Ten points		Five points	Not specified	
District of Columbia	D.C. Code Ann. §1-607.03	Five points	Five additional points		Same as 5 U.S.C. §§2108(3) and 3309(1)	Not specified	

Florida	Fla. Stat. §110.2135	Five points	Ten points		Five points If disabled, ten points	Not specified	
	Fla. Stat. §295.065 <i>et seq.</i> (2013 SB 690)						
Georgia	Ga. Code §45-2-20 <i>et seq.</i>	Five points	Ten points	Five points as specified			
Guam	4 Guam Code Ann. §4104	Five points	Ten points			Yes	
Hawaii	Hawaii Rev. Stat. §76-103						
Idaho	Idaho Code §65-501 <i>et seq.</i> (2013 SB 1045)	Five percentage points	Ten percentage points		Five percentage points If disabled, ten percentage points	Yes	An employer who deliberately or willfully refuse to give preference to qualified veterans is subject to writs of mandate and may be required to employ or reemploy the veteran and pay damages (§65-506).
Illinois	Ill. Rev. Stat. ch. 15, §310/10b.7	Five points as specified Three points as specified	Ten points	Three points as specified	Same as the deceased or disabled veteran	Not specified	
	Ill. Rev. Stat. ch. 15, §410/10b.7						
	Ill. Rev. Stat. ch. 15, §510/9b.5						
	Ill. Rev. Stat. ch. 20, §415/8b.7						
	Ill. Rev. Stat. ch. 55, §5/3-14021						
	Ill. Rev. Stat. ch. 65, §5/10-1-16						
	Ill. Rev. Stat. ch. 110, §70/36g						

	Ill. Rev. Stat. ch. 330, §55/0.01 <i>et seq.</i>						Any person who knowingly and willfully violates the law is guilty of a petty offense and fined between \$75 and \$300 for each offense (§55/3).
Indiana	Ind. Code §4-15-2.2-32	Ten percentage points				Not specified	
	Ind. Code §5-9-3-1 <i>et seq.</i>						
Iowa	Iowa Code §8A.413	Five points	Ten points			Yes	
	Iowa Code §35C.1						
	Iowa Code §400.10						
	Iowa Code §8A.402 (2010 H.F. 2454) Noncompetitive appointments						
Kansas	Kan. Rev. Stat. §73-201 <i>et seq.</i>					Not specified	Any state, county or city officer or board who knowingly and willfully disobeys or neglects to obey the law is guilty of a misdemeanor and fined between \$50 and \$500 (§73-202); Any veteran who alleges that a state agency, city or county has not provided the veterans preference, after exhausting any available administrative

							remedy, may bring an action in the district court (§73-201).
	Kan. Rev. Stat. §75-2955						
Kentucky	Ky. Rev. Stat. §18a.150	Five points	Ten points	Five points	Ten points as specified	Not specified	
Louisiana	La. Rev. Stat. Ann. §2416	Five points	Ten points		Five points If disabled, ten points	Not specified	
Maine	Me. Rev. Stat. Ann. tit. 5, §§7054 – 7055.	Five points	Ten points		Five points If disabled, ten points	Not specified	
Maryland	Md. Public Utilities Code §18-111	Five percent				Yes	
Massachusetts	Mass. Gen. Laws Ann. ch. 31, §3					Yes	
	Mass. Gen. Laws Ann. ch. 31, §26						
	Mass. Gen. Laws Ann. ch. 41, §112						
	Mass. Gen. Laws Ann. ch. 149, §26						
Michigan	Mich. Comp. Laws §35.401 <i>et seq.</i>					Yes	Any person with the power of appointment or someone under him that violates the law is guilty of a misdemeanor and either fined between \$50 and \$100, imprisoned in the county jail for no more than 90 days, or both (§35.403).

Minnesota	Minn. Stat. §43A.11 <i>et seq.</i>	Ten points	Fifteen points		Same as veteran as specified	Not specified	Any willful violation of the law by officers, officials or employees is a misdemeanor. Aggrieved applicants are entitled to a writ of mandamus to remedy the wrong (§197.46).
	Minn. Stat. §197.447 <i>et seq.</i>						
Mississippi	Miss. Code Ann. §25-9-301 <i>et seq.</i>					Not specified	
Missouri	Mo. Const. Art. IV, §19	Five points	Ten points		Five points If disabled, five points	Not specified	
	Mo. Rev. Stat. §36.220						
	Mo. Rev. Stat. §285.237						
Montana	Mont. Code Ann. §10-2-402	Five percentage points	Ten percentage points	Five percentage points		Not specified	Any applicant who believes he or she has been denied veterans preference has the right to an appeal hearing. If found guilty, the employer must comply with the law and may be ordered to pay certain costs of the applicant (§39-29-104).
	Mont. Code Ann. §39-29-101 <i>et seq.</i>						
	Mont. Code Ann. §49-2-405						
Nebraska	Neb. Rev. Stat. §23-	Five points	Ten points			Not specified	

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	Neb. Rev. Stat. §48-225 <i>et seq.</i>	Five percent	Additional five percent				Violators of the law are guilty of a class 4 misdemeanor. Violators are prohibited from receiving any compensation from public funds until they comply with the law (§48-230).
Nevada	Nev. Rev. Stat. §281.060	Five points	Ten points		Five points	Yes	Violators are guilty of a misdemeanor. Penalties do not apply where the violations result from misrepresentations made by the employee.
	Nev. Rev. Stat. §284.260						
New Hampshire	N.H. Rev. Stat. §282-A:115					Yes	
	N.H. Rev. Stat. §283:1 <i>et seq.</i>						
New Jersey	N.J. Rev. Stat. §11A:5-1 <i>et seq.</i>	Immediately after disabled veterans in order of respective scores	Top of the employment list in order of respective scores		Same as deceased or disabled veteran as specified		Any applicant who believes he or she has been denied veterans preference has the right to appeal the decision before the Adjutant General (§11A:5-1.1).
	N.J. Rev. Stat. §38A:3-12 <i>et seq.</i>						
	N.J. Rev. Stat.						

	§11A:5-8 Noncompetitive appointments						
New Mexico	N.M. Stat. Ann. §10-9-13.2	Five points	Ten points	Five points If disabled, ten points			
	N.M. Stat. Ann. §20-4-9						
New York	N.Y. Civil Service Law §85	Five points	Ten points			Yes	A refusal to allow the preference in retention to any veteran or disabled veteran, or a reduction of compensation intended to bring about his resignation is a misdemeanor. Any affected veteran has the right to seek a resolution and damages before a court.
	N.Y. Civil Service Law §55-c Noncompetitive appointment						
North Carolina	N.C. Gen. Stat. §126-80 <i>et seq.</i>					Yes	The willful failure of any employee to comply with the law constitutes personal misconduct and may result in suspension, demotion or dismissal; Any applicant who believes he or she has

							been denied veterans preference may appeal the decision to the state Personnel Commission (§126-82).
	N.C. Gen. Stat. §128-15						
North Dakota	N.D. Cent. Code §37-19.1-01 <i>et seq.</i> (2013 SB 2127)	Five points	Ten points		Same as deceased or disabled veteran as specified	Yes	Any applicant who believes he or she has been denied veterans preference has the right to an appeal hearing. If successful, the applicant is entitled to immediate employment together with backpay and benefits from the date the appointment should have been made (§37-19.1-04).
Ohio	Ohio Rev. Code §124.23	Twenty percent				Yes	
	Ohio Rev. Code §124.26						
	Ohio Rev. Code §5903.11						The law requires each agency state agency providing employment and training services to veterans to individually report to the legislature on action taken to ensure compliance with the provisions of the law.
Oklahoma	Okla. Stat. tit. 72,	Five points	Ten points		Five points	Yes	

	§401 <i>et seq.</i> Okla. Stat. tit. 74, §840-4.14 Competitive and noncompetitive appointments						
Oregon	Or. Rev. Stat. §408.225 <i>et seq.</i> (2013 HB 2633)	Five points	Ten points	Five points, If disabled, ten points		Not specified	Violating the law is considered an unlawful employment practice; Aggrieved veterans may file a complaint (§408.230).
Pennsylvania	Pa. Cons. Stat. tit. 51, §7101 <i>et seq.</i>	State - Ten points Municipal – Fifteen percent			Same as deceased or disabled veteran	Not specified	
	Pa. Stat. tit. 53, §23431						
	Pa. Stat. tit. 53, §39405						
Puerto Rico	29 L.P.R.A. §737	Ten percent				Not specified	
Rhode Island	R.I. Gen. Laws §30- 21-1 <i>et seq.</i>					Yes	Violators of the law are guilty of a misdemeanor and fined no more than \$1,000 (§30-21-7).
South Carolina	S.C. Code Ann. §1-1- 550					Not specified	
South Dakota	S.D. Codified Laws Ann. §3-3-1 <i>et seq.</i>		A veteran who has a service- connected disability shall be given a preference over a nondisabled veteran.		Same as deceased or disabled veteran as specified	Yes	A refusal to allow the veterans preference or a reduction in salary for the position with intent to bring about the resignation of the incumbent, entitles the applicant or incumbent to maintain an action of

							mandamus to right the wrong (§3-3-3).
Tennessee	Tenn. Code Ann. §8-30-307	Veterans must be invited to interview. If all else is equal, preference will be given to the veteran for the position.	Veterans must be invited to interview. If all else is equal, preference will be given to the veteran for the position.			Yes	
Texas	Tex. Govt. Code §656.027	Ten points	Fifteen points		Same as deceased or disabled veteran as specified	Not specified	
	Tex. Govt. Code §657.001 <i>et seq.</i>						Applicants entitled to a veterans preference have the right to appeal unfavorable decisions (§657.010).
Utah	Utah Code Ann. §71-10-1 <i>et seq.</i>	Five percent	Ten percent		Same as deceased or disabled veteran	Not specified	Any officers, agents or representatives of a government entity who is charged with employment of people and who willfully fails to give veterans preference as provided in this chapter is guilty of a misdemeanor (§71-10-3).
Vermont	Vt. Stat. Ann. tit. 20, §1543					Not specified	
Virginia	Va. Code §2.2-2903	Five percent	Ten percent	Five percent		Not specified	

	Va. Code §15.2-1509			If disabled, ten percent			
Virgin Islands	<i>Not specified</i>						
Washington	Wash. Rev. Code §41.04.010	Five or ten percent as specified	Five or ten percent as specified			Not specified	All officials or other persons with hiring authority who violate the law are guilty of a class 1 civil infraction (§73.16.020).
	Wash. Rev. Code §73.16.005 <i>et seq.</i>						
West Virginia	W. Va. Code §6-13-1	Five points	Ten points			Not specified	
	W. Va. Code §9A-4-1 <i>et seq.</i>						
Wisconsin	Wis. Stat. §230.16	Ten points	Fifteen to twenty points, as specified	Ten points	Not specified		
	Wis. Stat. §230.275 Noncompetitive appointments						
Wyoming	Wyo. Rev. Stat. §19-14-102	Five points	Ten points		As specified	Yes	