



HOUSE BILL 370: Veterans Employment Act.

2021-2022 General Assembly

Committee:	Senate Commerce and Insurance	Date:	May 24, 2022
Introduced by:	Reps. Bell, Moore, Cleveland, Miller	Prepared by:	Amy Darden
Analysis of:	PCS to Second Edition H370-CSBB-15		Karyl Smith Committee Counsel

OVERVIEW: *The PCS to House Bill 370 would do all the following:*

- *Require occupational licensing boards and state agency licensing boards to:*
 - *Inform the Secretary of the Department of Military and Veterans Affairs (DMVA) the name of the person responsible for filing the annual report on the number of licenses granted or denied to applicants who are either military-trained or military spouses.*
 - *Ensure that all applications include a question requiring the applicant to disclose if they are military-trained or a military spouse.*
- *Extend the Interstate Compact on Educational Opportunity for Military Children to children of inactive National Guard and Reserve members.*
- *Expand the employment preference for veterans under the North Carolina Human Resources Act and Chapter 128 – Offices and Public Officers by broadening the definition of veteran.*
- *Authorize cities and counties to enter into Intergovernmental Support Agreements with military installations.*

CURRENT LAW and BILL ANALYSIS:

Section 1(a):

Chapter 93B of the General Statutes governs occupational licensure. G.S. 93B-2(a) requires each occupational licensing board to file an annual report with the Secretary of State, the Attorney General, and the Joint Legislative Administrative Procedure Oversight Committee. Among other information, the annual report must include the number of applicants who have military training, or who are military spouses, and who were either granted or denied a license, and a summary of the reasons for denial. GS. 93B-2(b1) requires the information relating to the grant or denial of applications by military-trained or military spouse applicants to also be electronically filed with the Secretary of DMVA by each occupational licensing board and State Agency licensing board.

Beginning July 1, 2022, the PCS to H370 would require each occupational licensing board and State agency licensing board to provide the Secretary of DMVA with the name of the individual responsible for electronically filing this information with the Secretary.

Section 1(b):

G.S. 93B-15.1 requires occupational licensing boards or State agency licensing boards to issue occupational licenses to military-trained applicants and military spouse applicants upon proof to an

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House 370 PCS

Page 2

occupational licensing board that they possess certain qualifications and experiences sufficient to allow them to practice their occupation in this State.

The PCS would require occupational licensing boards and State agency licensing boards to ensure that applications include a question requiring the applicant to indicate if they are military-trained or a military spouse.

Section 2:

Currently, the Interstate Compact on Educational Opportunity for Military Children (Compact) ensures that the children of military families are afforded the same opportunities for educational success as other children when transitioning to a new school. This Compact provides transition services, such as requiring schools to temporarily accept unofficial school records for enrollment until official records arrive, requiring schools to honor a previous school's course and program placement, requiring schools to bypass tryout or application deadlines for extracurricular activities, and ensuring on-time graduation for senior-year transfers. However, the transition services in this Compact are only available for the children of active duty members of the uniformed services. The Compact does not apply to children of inactive members of the National Guard and military reserves.

Section 2 of the PCS to H370 would grant the following to the children of inactive members of the National Guard and military reserves, if the member is required to move to perform military service related responsibilities:

- For intrastate moves, the same services as are provided to children of active duty military under the Compact.
- For interstate moves, any services provided to children of active duty military under the Compact to the extent possible without coordination with another state. North Carolina local education authorities would be required to attempt to coordinate with other states for these services, but those outside the State could not be required to cooperate.

This section is effective when it becomes law and is applicable beginning with the 2022-2023 academic school year.

Section 3:

Currently, Chapters 126 (North Carolina Human Resources Act) and Chapter 128 (Offices and Public Officers) of the General Statutes provide public employment preferences for eligible veterans. The PCS to H370 would expand those preferences by modifying the definition of eligible veteran to remove the requirement that the veteran's service must have occurred during a period of war.

This section is effective when it becomes law, and applies to applications for public employment made on or after that date.

Section 4 and Section 5:

10 U.S.C.A. §2679 authorizes the Secretaries of the Army, Navy, Air Force, or Homeland Security to enter into intergovernmental support agreements with State or local governments. Sections 4 and 5 of the PCS would allow counties and cities, respectively, to enter into agreements to provide installation-support with military installations.

EFFECTIVE DATE: Except as otherwise provided, the PCS is effective when it becomes law.