

**CHAPTER 9**

**Senate Bill 89**

**AN ACT**

**RELATING TO PUBLIC OFFICERS AND EMPLOYEES; EXPANDING VETERANS' PREFERENCES FOR EMPLOYMENT UNDER MERIT OR CIVIL SERVICE SYSTEM, AND AMENDING SECTIONS 38-491 AND 38-492, ARIZONA REVISED STATUTES.**

**Be it enacted by the Legislature of the State of Arizona:**

Section 1. Section 38-491, Arizona Revised Statutes, is amended to read:

**38-491. ELIGIBILITY; AGE LIMIT**

The state, ~~or a county, city, town or other~~ OR ANY political subdivision of the state which employs personnel of any branch of its service under a merit system, civil service system or other system of employment on the basis of merit, by whatever name known, and whether pursuant to law, ordinance, rule, regulation or otherwise, shall provide that a veteran of the ~~army, navy or marine corps~~ ARMED FORCES of the United States AS DEFINED BY TITLE 37, CHAPTER 1, SECTION 101, UNITED STATES CODE, ~~holding an honorable discharge therefrom, who served therein during time of war,~~ SEPARATED FROM ACTIVE DUTY UNDER HONORABLE CONDITIONS, shall be eligible to apply for and receive employment under such merit system regardless of age, if otherwise qualified, subject only to the requirement that he is below the regular retirement age at the time of entering the employment, if a retirement age is prescribed.

Sec. 2. Section 38-492, Arizona Revised Statutes, is amended to read:

**38-492. PERCENTAGE OF PREFERENCE**

A. A veteran of the ~~army, navy or marine corps~~ ARMED FORCES of the United States AS DEFINED BY TITLE 37, CHAPTER 1, SECTION 101, UNITED STATES CODE, ~~holding an honorable discharge therefrom and who served therein during time of war,~~ SEPARATED THEREFROM UNDER HONORABLE CONDITIONS FOLLOWING MORE THAN SIX MONTHS OF ACTIVE DUTY, who takes an examination pursuant to an application ~~for employment by the state, or a county, city, town or other political subdivision,~~ FOR EMPLOYMENT BY THE STATE OR ANY POLITICAL SUBDIVISION under a merit system of employment as provided by section 38-491 shall, in the determination of his final rating on such examination, be given a preference of five per cent over persons other than veterans, ~~which~~ THE PREFERENCE shall be added to the grade earned by him, but only if such veteran earns a passing grade without preference.

B. If a department, division or agency of the state, ~~or a county, city, town or other~~ OR ANY political subdivision is operated under a merit system prescribed by the federal government or a department, division or agency thereof, the provisions of such system, including preference to veterans, shall prevail.

Approved by the Governor—March 18, 1971

Filed in the Office of the Secretary of State—March 19, 1971