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AB-901 Veterans' preferences: eligible spouses. (2025-2026)

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CALIFORNIA LEGISLATURE— 2025–2026 REGULAR SESSION

ASSEMBLY BILL

NO. 901

Introduced by Assembly Member Sharp-Collins

February 19, 2025

An act to amend Sections 18973, 18973.1, 18974.5, and 18976 of the Government Code, relating to employment.

LEGISLATIVE COUNSEL'S DIGEST

AB 901, as introduced, Sharp-Collins. Veterans' preferences: eligible spouses.

The State Civil Service Act contains various provisions providing for veterans' credits in relation to any open competitive entrance examination. Under existing law, whenever any veteran, widow or widower of a veteran, or spouse of a 100% disabled veteran achieves a passing score on an entrance exam, that person is required to be ranked in the top rank of the resulting eligibility list.

This bill would revise that provision to also apply to an active duty service member who achieves a passing score on an entrance exam. The bill would also provide that authorizing employers may grant a preference in hiring and promotion to the eligible spouse of an active duty service member, veteran, widow or widower of a veteran, or spouse of a 100% disabled veteran.

Existing law provides that any member of the Armed Forces who successfully passes any state civil service examination, whose name is placed on an employment list, and who qualifies for veterans' preference shall be allowed the appropriate veterans' credit to the same effect as though that person were entitled to that credit at the time of the establishing of the employment list.

This bill would authorize the eligible spouse of an active duty service member, widow or widower of a veteran, or spouse of a 100% disabled veteran to receive the appropriate credit for any selection test generally related to hiring and promotional preferences. The bill would make other related changes to these provisions.

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: no

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 18973 of the Government Code is amended to read:

18973. For purposes of this article, the following definitions shall apply:

(a) "Active duty service member" means a full-time active duty service member of any branch of the uniformed services of the United States.

(b) "Eligible spouse" means an individual who is married to a full-time active duty service member of any branch of the uniformed service of the United States.

~~(a)~~

(c) "Veteran" has the same meaning as defined in Section 18540.4.

~~(b)~~

(d) "Disabled veteran" has the same meaning as defined in Section 18541.

~~(e)~~

(e) "100 percent disabled veteran" means any veteran as defined in this section who is currently declared by the United States Veterans Administration to be 100 percent disabled as a result of ~~his or her~~ *their* service.

SEC. 2. Section 18973.1 of the Government Code is amended to read:

18973.1. (a) Whenever any veteran, widow or widower of a veteran, ~~or~~ spouse of a 100 percent disabled ~~veteran~~ *veteran, or active duty service member* achieves a passing score on an entrance examination, ~~he or she that individual~~ shall be ranked in the top rank of the resulting eligibility list. ~~This Authorizing employers may grant a preference in hiring and promotion to the eligible spouse of an active duty service member, veteran, widow or widower of a veteran, or spouse of a 100 percent disabled veteran.~~

(b) *This* section shall not apply to any veteran who has been dishonorably discharged or released.

SEC. 3. Section 18974.5 of the Government Code is amended to read:

18974.5. Any member of the Armed Forces who successfully passes any state civil service examination and whose name as a result is placed on an employment list and who within 12 months after the establishment of the employment list for which the examination was given qualifies for veterans' preference as provided for in this article shall be allowed the appropriate veterans' credit to the same effect as though ~~he or she~~ *they* were entitled to that credit at the time of the establishing of the employment list. *The eligible spouse of an active duty service member, widow or widower of a veteran, or spouse of a 100 percent disabled veteran may receive the appropriate credit for any selection test generally related to hiring and promotional preferences.*

SEC. 4. Section 18976 of the Government Code is amended to read:

18976. (a) Request for and proof of eligibility for veterans' *or eligible spouses'* preference shall be submitted by the veteran *or eligible spouse* to the department or designated appointing authority conducting the employment examination. The procedures and time of filing the request shall be subject to rules promulgated by the department, in consultation with the Department of Veterans Affairs.

(b) Subject to rules promulgated by the department pursuant to subdivision (a), in order to facilitate a request for veterans' preference from a currently serving active duty member of the United States Armed Forces, the department or designated appointing authority may use a document signed by an applicant's commanding officer of the military to verify that applicant's military service. The department or designated appointing authority, before the applicant enters state service with the benefit of the veterans' preference, shall require the same proof of eligibility for veterans' preference used for veterans under subdivision (a).