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**SENATE BILL 6338**

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**State of Washington 66th Legislature 2020 Regular Session**

**By** Senators Wagoner, Hobbs, and Randall

AN ACT Relating to veterans' scoring criteria status in examinations; and amending RCW 41.04.010.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

**Sec.**  RCW 41.04.010 and 2017 c 97 s 2 are each amended to read as follows:

(1) In all competitive examinations, unless otherwise provided in this section, to determine the qualifications of applicants for public offices, positions, or employment, either the state, and all of its political subdivisions and all municipal corporations, or private companies or agencies contracted with by the state to give the competitive examinations shall give a scoring criteria status to all veterans as defined in RCW 41.04.007 and military surviving spouses, by adding to the passing mark, grade, or rating only, based upon a possible rating of one hundred points as perfect a percentage in accordance with the following:

((~~(1)~~)) (a) Ten percent to a veteran who served during a period of war or in an armed conflict as defined in RCW 41.04.005 and does not receive military retirement. The percentage shall be added to the passing mark, grade, or rating of competitive examinations until the veteran's first appointment. The percentage shall not be utilized in promotional examinations;

((~~(2)~~)) (b) Five percent to a veteran who did not serve during a period of war or in an armed conflict as defined in RCW 41.04.005 or is receiving military retirement. The percentage shall be added to the passing mark, grade, or rating of competitive examinations until the veteran's first appointment. The percentage shall not be utilized in promotional examinations;

((~~(3)~~)) (c) Five percent to a veteran who was called to active military service from employment with the state or any of its political subdivisions or municipal corporations. The percentage shall be added to promotional examinations until the first promotion only;

((~~(4)~~)) (d) Ten percent to a military surviving spouse. The percentage shall be added to the passing mark, grade, or rating of competitive examinations until the military surviving spouse's first appointment. The percentage shall not be used in promotional examinations;

(e) All veterans' scoring criteria may be claimed:

((~~(a)~~)) (i) Upon release from active military service with an honorable discharge or a discharge for medical reasons with an honorable record, where applicable; or

((~~(b)~~)) (ii) Upon receipt of a United States department of defense discharge document DD form 214, NGB form 22, or their equivalent or successor discharge paperwork, that characterizes his or her service as honorable; and

(f) All military surviving spouses' scoring criteria may be claimed upon the receipt of:

(i) The military death certificate of the active military spouse naming the surviving spouse applicant as the primary next of kin;

(ii) Documentation from the United States department of veterans affairs naming the applicant as having an entitlement to dependency and indemnity compensation due to the death of his or her spouse; or

(iii) Documentation from the United States department of veterans affairs certifying the applicant's spouse as having a service connected permanent and total disability.

(2) For the purposes of this section, "military surviving spouse" means any person who, at the time of application for benefits under this section:

(a) Was the legal spouse on the date of death of a military service member that died while on active duty, active duty for training, or inactive duty training and has not remarried; or

(b) Is the spouse of an honorably discharged military veteran that has a service-connected permanent and total disability as determined by the United States department of veteran affairs.

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