
SENATE BILL 5827

State of Washington

69th Legislature

2026 Regular Session

By Senators Gildon, Christian, Dozier, and J. Wilson

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1 AN ACT Relating to the definition of a "qualifying discharge" for
2 the Washington state veterans' preference program for civil service;
3 amending RCW 41.04.010 and 73.04.005; and creating a new section.

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

5 NEW SECTION. **Sec. 1.** The legislature finds that agencies may
6 deny an applicant's request for veteran preference because the
7 applicant is currently serving in the United States military and does
8 not yet meet the definition of a veteran prior to the applicant's
9 official discharge or release date from military service. The
10 legislature further finds that some applicants are denied the
11 preference despite receipt of an official statement of service
12 memorandum from their commanding officer or delegated authority that
13 includes expected discharge characterization and expected discharge
14 or release from service date. The legislature recognizes the negative
15 impact these actions have on active duty service members who are in
16 the process of securing jobs prior to their separation date from
17 service because service members generally do not receive a DD form
18 214 (military separation paperwork) until their last day of active
19 service and most service members would prefer to have civilian jobs
20 secured prior to their separation date. The legislature intends to

1 clarify the requirements for veteran preference to ensure a smooth
2 transition into civil employment.

3 **Sec. 2.** RCW 41.04.010 and 2024 c 146 s 14 are each amended to
4 read as follows:

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

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

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

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

31 (4) All veterans' scoring criteria may be claimed:

32 (a) Upon release from active military service with a qualifying
33 discharge as defined in RCW 73.04.005; (~~or~~)

34 (b) Upon receipt of a United States department of defense
35 discharge document DD form 214, NGB form 22, or their equivalent or
36 successor discharge paperwork, that characterizes his or her
37 discharge as a qualifying discharge as defined in RCW 73.04.005; or

38 (c) Upon receipt of an official statement of service memorandum
39 from the individual's commander or the commander's designated

1 representative that includes projected discharge characterization and
2 expected discharge or release date from military service. The
3 official documents listed in (b) of this subsection must be provided
4 no later than 30 days after official separation from military
5 service.

6 **Sec. 3.** RCW 73.04.005 and 2024 c 146 s 4 are each amended to
7 read as follows:

8 For purposes of RCW 9.46.070, 28A.230.120, 28B.15.012,
9 28B.15.621, 28B.102.020, 41.04.005, 41.04.007, 41.04.010, 41.06.133,
10 41.08.040, 41.12.040, 43.24.130, 43.70.270, 46.18.270, 46.18.280,
11 46.20.161, 72.36.030, 73.08.005, and 77.32.480:

12 (1) A "qualifying discharge" means:

13 (a) A discharge with an honorable characterization of service;

14 (b) A discharge with a general under honorable conditions
15 characterization of service;

16 (c) A discharge with an other than honorable characterization of
17 service if the applicant provides a letter, administrative decision,
18 or other documentation from the United States department of veterans
19 affairs showing eligibility for or receipt of monetary benefits, such
20 as disability compensation or nonservice-connected pension; or

21 (d) Any characterization of service if the reason for discharge
22 was listed as solely due to: (i) A person's sexual orientation,
23 gender identity, or gender expression; (ii) statements, consensual
24 sexual conduct, or consensual acts relating to sexual orientation,
25 gender identity, or gender expression unless the statements, conduct,
26 or acts are or were prohibited by the uniform code of military
27 justice on grounds other than the person's sexual orientation, gender
28 identity, or gender expression; or (iii) the disclosure of
29 statements, conduct, or acts relating to sexual orientation, gender
30 identity, or gender expression to military officials.

31 (2) (a) To prove a "qualifying discharge" under this section, an
32 individual must provide official documentation that shows the
33 following to the agency administering the sought benefit or
34 protection:

35 (i) The individual's characterization of service; and

36 (ii) If an individual has a qualifying discharge under subsection
37 (1) (d) of this section, also the individual's reason for discharge or
38 narrative reason for separation.

1 (b) (i) Proof may include, but is not limited to, a department of
2 defense DD form 214, NGB form 22, or equivalent or successor official
3 paperwork stating the required information from a government agency.
4 Copies of official documents are acceptable as proof.

5 (ii) Proof may also include an official statement of service
6 memorandum from the individual's commander or the commander's
7 designated representative that includes projected discharge
8 characterization and expected discharge or release date from military
9 service. The official documents listed in (b)(i) of this subsection
10 must be provided 30 days after official separation from military
11 service.

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