

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2014 Regular Session and 2014 Second Regular Technical Session of the General Assembly.

## SENATE ENROLLED ACT No. 298

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AN ACT to amend the Indiana Code concerning military and veterans.

*Be it enacted by the General Assembly of the State of Indiana:*

SECTION 1. IC 10-17-15 IS ADDED TO THE INDIANA CODE AS A **NEW CHAPTER** TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]:

### **Chapter 15. Voluntary Veterans' Preference Employment Policy**

**Sec. 1. As used in this chapter, "DD 214" means a Department of Defense Report of Separation form or its predecessor or successor form.**

**Sec. 2. As used in this chapter, "private employer" means a sole proprietor, corporation, partnership, limited liability company, or other entity with one (1) or more employees. The term does not include:**

- (1) the state;**
- (2) a political subdivision (as defined in IC 36-1-2-13); or**
- (3) a state educational institution (as defined in IC 21-7-13-32).**

**Sec. 3. As used in this chapter, "veteran" means an individual who:**

- (1) has served in:**
  - (A) the United States armed forces or their reserves;**



- (B) the Indiana Army National Guard; or**
- (C) the Indiana Air National Guard; and**
- (2) was released from active duty under conditions other than dishonorable.**

**Sec. 4.** As used in this chapter, "veterans' preference employment policy" means a private employer's voluntary veterans' preference employment policy that gives preference for hiring, promoting, or retaining a veteran over another qualified applicant or employee.

**Sec. 5.** Except as provided in section 10 of this chapter, a private employer may have a veterans' preference employment policy.

**Sec. 6.** A veterans' preference employment policy under this chapter must be in writing and applied uniformly to employment decisions regarding hiring, promotion, or retention during a reduction in force.

**Sec. 7.** A private employer with a veterans' preference employment policy may require that a veteran submit a DD 214 to the private employer to be eligible for the preference.

**Sec. 8.** Granting preference under this chapter does not violate any local or state equal employment opportunity laws.

**Sec. 9.** The Indiana department of veterans' affairs shall assist a private employer in determining if an applicant is a veteran in a manner that protects personal privacy consistent with applicable privacy laws and regulations.

**Sec. 10.** Any policy adopted under section 5 of this chapter may not:

- (1) apply to or abrogate a collectively bargained agreement in effect before the adoption of the policy; and**
- (2) interfere with an employer's obligations under the federal National Labor Relations Act (29 U.S.C. 151 et seq.) or the federal Uniformed Services Employment and Reemployment Act (38 U.S.C. 4301 et seq.).**



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President of the Senate

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President Pro Tempore

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Speaker of the House of Representatives

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Governor of the State of Indiana

Date: \_\_\_\_\_ Time: \_\_\_\_\_

