

SECOND REGULAR SESSION

[P E R F E C T E D]

SENATE BILL NO. 620

100TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR WALLINGFORD.

Pre-filed December 1, 2019, and ordered printed.

Read 2nd time January 16, 2020, and referred to the Committee on General Laws.

Reported from the Committee March 12, 2020, with recommendation that the bill do pass and be placed on the Consent Calendar.

Taken up April 29, 2020. Read 3rd time and placed upon its final passage; bill passed.

ADRIANE D. CROUSE, Secretary.

3857S.01P

AN ACT

To repeal section 36.020, RSMo, and to enact in lieu thereof one new section relating to surviving spouses.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Section 36.020, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 36.020, to read as follows:

36.020. Unless the context clearly requires otherwise, the following terms mean:

- (1) "Agency", "state agency" or "agency of the state", each department, board, commission or office of the state except for offices of the elected officials, the general assembly, the judiciary and academic institutions;
- (2) "Appointing authority", an officer or agency subject to this chapter having power to make appointments;
- (3) "Board", the personnel advisory board as established by section 36.050;
- (4) "Broad classification band", a grouping of positions with similar levels of responsibility or expertise;
- (5) "Class", "class of positions", or "job class", a group of positions subject to this chapter sufficiently alike in duties, authority and responsibilities to justify the same qualifications and the same schedule of pay to all positions in the group;
- (6) "Director", the director of the division of personnel of the office of administration;

EXPLANATION—Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

16 (7) "Disabled veteran", a veteran who has served on active duty in the
17 Armed Forces at any time who receives compensation as a result of a
18 service-connected disability claim allowed by the federal agency responsible for
19 the administration of veteran's affairs, or who receives disability retirement or
20 disability pension benefits from a federal agency as a result of such a disability
21 or a National Guard veteran who was permanently disabled as a result of active
22 service to the state at the call of the governor;

23 (8) "Division of service" or "division", a state department or any division
24 or branch of the state, or any agency of the state government, all the positions
25 and employees in which are under the same appointing authority;

26 (9) "Eleemosynary or penal institutions", an institution within state
27 government holding, housing, or caring for inmates, patients, veterans, juveniles,
28 or other individuals entrusted to or assigned to the state where it is anticipated
29 that such individuals will be in residence for longer than one day. Eleemosynary
30 or penal institutions shall not include elementary, secondary, or higher education
31 institutions operated separately or independently from the foregoing institutions;

32 (10) "Eligible", a person whose name is on a register or who has been
33 determined to meet the qualifications for a class or position;

34 (11) "Employee", shall include only those persons employed in excess of
35 thirty-two hours per calendar week, for a duration that could exceed six months,
36 by a state agency and shall not include patients, inmates, or residents in state
37 eleemosynary or penal institutions who work for the state agency operating an
38 eleemosynary or penal institutions;

39 (12) "Examination" or "competitive examination", a means of determining
40 eligibility or fitness for a class or position;

41 (13) "Open competitive examination", a selection process for positions in
42 a particular class, admission to which is not limited to persons employed in
43 positions subject to this chapter pursuant to subsection 1 of section 36.030;

44 (14) "Promotional examination", a selection process for positions in a
45 particular class, admission to which is limited to employees with regular status
46 in positions subject to this chapter pursuant to subsection 1 of section 36.030;

47 (15) "Register of eligibles", a list, which may be restricted by locality, of
48 persons who have been found qualified for appointment to a position subject to
49 this chapter pursuant to subsection 1 of section 36.030;

50 (16) "Regular employee", a person employed in a position described under
51 subdivision (2) of subsection 1 of section 36.030 who has successfully completed

52 a probationary period as provided in section 36.250;

53 (17) "State equal employment opportunity officer", the individual
54 designated by the governor or the commissioner of administration as having
55 responsibility for monitoring the compliance of the state as an employer with
56 applicable equal employment opportunity law and regulation and for leadership
57 in efforts to establish a state workforce which reflects the diversity of Missouri
58 citizens at all levels of employment;

59 (18) "Surviving spouse", the unmarried surviving spouse of a deceased
60 disabled veteran or the unmarried [survivor's] **surviving** spouse of any person
61 who was killed while on active duty in the Armed Forces of the United States or
62 an unmarried surviving spouse of a National Guard veteran who was killed as a
63 result of active service to the state at the call of the governor;

64 (19) "Veteran", any person who is a citizen of this state who has been
65 separated under honorable conditions from the Armed Forces of the United States
66 who served on active duty during peacetime or wartime for at least six
67 consecutive months, unless released early as a result of a service-connected
68 disability or a reduction in force at the convenience of the government, or any
69 member of a reserve or National Guard component who has satisfactorily
70 completed at least six years of service or who was called or ordered to active duty
71 by the President and participated in any campaign or expedition for which a
72 campaign badge or service medal has been authorized.

✓

Copy