

MEMORANDUM

DATE	May 4, 2017
TO	Policy and Advocacy Committee
FROM	 Cherise Burns Central Services Manager
SUBJECT	Agenda Item #6(c)(8) – AB 349 (McCarty) Civil Service: Preference: Special Immigrant Visa Holder

Background:

This bill would authorize any person who assisted the United States military and was issued a specified special immigrant visa to be ranked in the top of the resulting eligibility list if he or she achieves a passing score on an entrance examination in the State's civil service hiring process.

This bill previously would have required boards to expedite processing of and assist individuals with completion of their initial application for licensure if they had a specified special immigrant visa.

Location: Assembly Committee on Appropriations

Status: 4/27/2017 Do pass and re-refer to Assembly Committee on Appropriations

Votes: 4/27/2017 Assembly Committee on Public Employees, Retirement, and
Social Security (4-0-3)
4/6/2017 Assembly Committee on Rules (9-0-2)

Action Requested:

No action is required at this time. Staff will continue to watch AB 349 (McCarty) for impacts on the Board's hiring processes.

Attachment A: AB 349 (McCarty) Text



AB-349 Civil service: preference: special immigrant visa holder. (2017-2018)

SECTION 1. *Article 4.5 (commencing with Section 18980) is added to Chapter 4 of Part 2 of Division 5 of Title 2 of the Government Code, to read:*

Article 4.5. Special Immigrant Visa Holder's Preference

18980. *For purposes of this article, "SIV holder" means any person who assisted the United States military and was issued a special immigrant visa pursuant to Section 1059 of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109-163) or Section 1244 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110-181).*

18981. *Whenever a SIV holder achieves a passing score on an entrance examination, he or she shall be ranked in the top rank of the resulting eligibility list.*

18982. *(a) For purposes of this article, an entrance examination is any open competitive examination.*

(b) No SIV preference under this article shall be awarded to permanent civil service employees.

18983. *A SIV holder 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 qualified for SIV preference as provided for in this article shall be allowed the appropriate SIV credit to the same effect as though he or she were entitled to that credit at the time of the establishment of the employment list.*

18984. *Request for and proof of eligibility for SIV holder preference shall be submitted by the SIV holder to the department or to the designated appointing authority conducting the employment examination. The procedures and time of filing the request shall be subject to rules promulgated by the department.*