
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 849 Session of
2021

INTRODUCED BY STEFANO, BAKER, COSTA, MENSCH, MUTH AND SCHWANK,
AUGUST 30, 2021

REFERRED TO VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS,
AUGUST 30, 2021

AN ACT

1 Amending Title 51 (Military Affairs) of the Pennsylvania
2 Consolidated Statutes, in veterans' preference, further
3 providing for definitions; and, in voluntary veterans'
4 preference in private employment, further providing for
5 definitions.

6 The General Assembly of the Commonwealth of Pennsylvania
7 hereby enacts as follows:

8 Section 1. The definitions of "surviving spouse" and
9 "veteran" in sections 7101.2 and 7202 of Title 51 of the
10 Pennsylvania Consolidated Statutes, amended or added October 29,
11 2020 (P.L.1045, No.102), are amended and the sections are
12 amended by adding definitions to read:

13 § 7101.2. Definitions.

14 The following words and phrases when used in this chapter
15 shall have the meanings given to them in this section unless the
16 context clearly indicates otherwise:

17 * * *

18 "Surviving spouse." An unmarried spouse of a deceased
19 [service member] veteran.

1 "Under conditions other than dishonorable." A condition in
2 which a recipient of a discharge from service is any of the
3 following:

4 (1) A recipient of an honorable discharge.

5 (2) A recipient of a general, under honorable
6 conditions, discharge.

7 (3) A recipient of a discharge under other than
8 honorable conditions for which the recipient has been
9 determined to be eligible for benefits afforded by the United
10 States Department of Veterans Affairs.

11 "Veteran." The term includes:

12 (1) An individual who served, as evidenced by the
13 veteran's discharge papers, separation documents or statement
14 of service, or hereafter serves in any of the following:

15 (i) in the armed forces of the United States,
16 including a reserve component or National Guard, has
17 completed their initial contractual military service
18 obligation and their last discharge or release was under
19 conditions other than dishonorable;

20 (ii) in the armed forces of the United States,
21 including a reserve component or National Guard, has
22 served during a period of war or armed conflict as
23 determined by the United States Department of Defense,
24 has completed a tour of active duty for purposes other
25 than training, was released from that period of active
26 duty under conditions other than dishonorable and
27 continues to serve; [or]

28 (iii) in the armed forces of the United States,
29 including a reserve component or National Guard, has
30 completed an initial contractual military service

1 obligation and continues to serve[.]; or

2 (iv) in the armed forces of the United States,
3 including a reserve component or National Guard, whose
4 last discharge was due to a disability and under
5 conditions other than dishonorable.

6 (2) An active duty member of the armed forces of the
7 United States who is completing a tour of active duty that is
8 three years or more and is within 90 days of an approved
9 discharge or release, as evidenced by documentation of the
10 projected discharge or release from active duty under
11 conditions other than dishonorable.

12 § 7202. Definitions.

13 The following words and phrases when used in this chapter
14 shall have the meanings given to them in this section unless the
15 context clearly indicates otherwise:

16 * * *

17 "Surviving spouse." An unmarried spouse of a deceased
18 [service member] veteran.

19 "Under conditions other than dishonorable." A condition in
20 which a recipient of a discharge from service is any of the
21 following:

22 (1) A recipient of an honorable discharge.

23 (2) A recipient of a general, under honorable
24 conditions, discharge.

25 (3) A recipient of a discharge under other than
26 honorable conditions for which the recipient has been
27 determined to be eligible for benefits afforded by the United
28 States Department of Veterans Affairs.

29 "Veteran." The term includes:

30 (1) An individual who served, as evidenced by the

1 veteran's discharge papers or separation documents, or
2 hereafter serves in any of the following:

3 (i) in the armed forces of the United States,
4 including a reserve component or National Guard, has
5 completed their initial contractual military service
6 obligation and their last discharge or release was under
7 conditions other than dishonorable;

8 (ii) in the armed forces of the United States,
9 including a reserve component or National Guard, has
10 served during a period of war or armed conflict as
11 determined by the United States Department of Defense,
12 has completed a tour of active duty for purposes other
13 than training, was released from that period of active
14 duty under conditions other than dishonorable and
15 continues to serve; [or]

16 (iii) in the armed forces of the United States,
17 including a reserve component or National Guard, has
18 completed an initial contractual military service
19 obligation and continues to serve[.]; or

20 (iv) in the armed forces of the United States,
21 including a reserve component or National Guard, whose
22 last discharge was due to a disability and under
23 conditions other than dishonorable.

24 (2) An active duty member of the armed forces of the
25 United States who is completing a tour of active duty that is
26 three years or more and is within 90 days of an approved
27 discharge or release, as evidenced by documentation of the
28 projected discharge or release from active duty under
29 conditions other than dishonorable.

30 * * *

1 Section 2. This act shall take effect in 60 days.