

Part 19A. Selective Service Registration.

§ 143B-421.1. Selective Service registration, State employment.

(a) Any person subject to 50 United States Code Appx. § 453 (Military Selective Service Act) shall register as required by that act. Any person who fails to do so in accordance with any proclamation or any rule or regulation issued under this section, shall be ineligible for employment by or service for the State, or a political subdivision of the State, including all boards and commissions, departments, agencies, institutions, and instrumentalities.

(b) It shall be the duty of all persons or officials having charge of and authority over either the hiring of employees, as described in this section, to adopt rules and regulations which shall require applicants to indicate on a form whether they are in compliance with the registration requirements described in subsection (a). Rules and regulations issued under the authority of this section shall provide that an applicant be given not less than 30 days after notification of a proposed finding of ineligibility for employment to provide the issuing official with information that he is in compliance with the registration requirements described in subsection (a). The issuing official may afford such person an opportunity for a hearing to establish his compliance or for any other purpose.

(c) A person may not be denied a right, privilege, or benefit under State law by reason of failure to present himself for and submit to registration under 50 U.S.C.S. Appx. § 453 if all of the following apply:

- (1) The requirement for the person to so register has terminated or become inapplicable to the person.
- (2) The person shows by a preponderance of the evidence that the failure of the person to register was not a knowing and willful failure to register. (1989, c. 618; 2023-134, s. 8A.9(b).)