

GENERAL ASSEMBLY OF NORTH CAROLINA  
1989 SESSION

CHAPTER 618  
SENATE BILL 842

AN ACT TO REQUIRE THAT PERSONS SUBJECT TO SELECTIVE SERVICE REGISTRATION MUST REGISTER TO BE ELIGIBLE FOR STATE OR LOCAL GOVERNMENT EMPLOYMENT OR RECEIPT OF PUBLIC EDUCATIONAL ASSISTANCE.

The General Assembly of North Carolina enacts:

Section 1. Chapter 143B of the General Statutes is amended by adding a new Part in Article 9 to read:

"Part 19A. Selective Service Registration.

**"§ 143B-421.1. Selective Service registration.**

(a) A person who is required under 50 United States Code Appx § 453 (Military Selective Service Act) to present himself for and submit to registration and fails to do so in accordance with any proclamation or any rule or regulation issued under this section, shall be ineligible for:

- (1) Employment by or service for the State, or a political subdivision of the State, including all boards and commissions, departments, agencies, institutions, and instrumentalities.
- (2) State-supported scholarships, programs for financial assistance for postsecondary education, or loans insured by any State agency, including educational assistance authorized under Article 23 of Chapter 116 of the General Statutes.

(b) It shall be the duty of all persons or officials having charge of and authority over either the hiring of employees or granting of educational assistance, 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 or benefits 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 USCS Appx § 453 if:

- (1) The requirement for the person to so register has terminated or become inapplicable to the person; and

(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."

Sec. 2. This act shall become effective October 1, 1989.

In the General Assembly read three times and ratified this the 11th day of July, 1989.