S T A T E O F N E W Y O R K

4262--A

Cal. No. 82

2011-2012 Regular Sessions

I N S E N A T E

March 25, 2011

Introduced by Sens. ZELDIN, AVELLA, DeFRANCISCO, GOLDEN, LARKIN, MAZIARZ, McDONALD, NOZZOLIO, O'MARA, RANZENHOFER -- read twice and ordered printed, and when printed to be committed to the Committee on Veterans, Homeland Security and Military Affairs -- recommitted to the Committee on Veterans, Homeland Security and Military Affairs in accordance with Senate Rule 6, sec. 8 -- reported favorably from said committee, ordered to first and second report, ordered to a third reading, passed by Senate and delivered to the Assembly, recalled, vote reconsidered, restored to third reading, amended and ordered reprinted, retaining its place in the order of third reading

AN ACT to amend the civil service law, in relation to veterans and competitive civil service exam points

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Paragraph (a) of subdivision 1 of section 85 of the civil service law, as amended by chapter 333 of the laws of 1993, is amended to read as follows:

(a) The terms "veteran" and "non-disabled veteran" mean:

(1) a member of the armed forces of the United States who served therein in time of war, who was honorably discharged or released under honorable circumstances from such service, who is a citizen of the United States or an alien lawfully admitted for permanent residence in the United States and who is a resident of the state of New York at the time of application for appointment or promotion or at the time of retention, as the case may be; OR

(2) A MEMBER OF THE ARMED FORCES OF THE UNITED STATES WHO WAS HONORABLY DISCHARGED OR RELEASED UNDER HONORABLE CIRCUMSTANCES FROM SUCH SERVICE, WHO IS A CITIZEN OF THE UNITED STATES OR AN ALIEN LAWFULLY ADMITTED FOR PERMANENT RESIDENCE IN THE UNITED STATES, WHO IS A RESIDENT OF THE STATE OF NEW YORK AT THE TIME OF APPLICATION FOR APPOINTMENT OR PROMOTION OR AT THE TIME OF RETENTION, AS THE CASE MAY BE, AND WHO WAS

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets [ ] is old law to be omitted.

LBD09901-03-2

AWARDED EITHER A: (I) COMBAT ACTION RIBBON, (II) COMBAT INFANTRYMAN BADGE, (III) COMBAT MEDICAL BADGE, (IV) COMBAT ACTION BADGE, (V) COMBAT RECOGNITION RIBBON, (VI) AIR FORCE COMBAT ACTION MEDAL, OR (VII) PURPLE HEART.

S 2. Subparagraph 1 of paragraph (a) of subdivision 2 of section 85 of the civil service law, as added by chapter 790 of the laws of 1958, is amended to read as follows:

(1) Disabled veterans shall be entitled to receive ten points additional CREDIT in a competitive examination for original appointment and five points additional credit in a competitive examination for promotion, and

S 3. Paragraph (b) of subdivision 1 of section 85 of the civil service law is amended by adding a new subparagraph 4 to read as follows:

(4) A VETERAN WHO IS CERTIFIED BY THE UNITED STATES VETERANS' ADMINISTRATION OR A MILITARY DEPARTMENT AS ENTITLED TO RECEIVE DISABILITY PAYMENTS UPON CERTIFICATION OF SUCH VETERANS' ADMINISTRATION OR A MILITARY DEPARTMENT FOR A DISABILITY INCURRED BY HIM OR HER IN THE COURSE OF HIS OR HER TIME OF SERVICE AND IN EXISTENCE AT THE TIME OF APPLICATION FOR APPOINTMENT OR PROMOTION OR AT THE TIME OF RETENTION, AS THE CASE MAY BE, AND WHO WAS AWARDED EITHER A: (I) COMBAT ACTION RIBBON, (II) COMBAT INFANTRYMAN BADGE, (III) COMBAT MEDICAL BADGE, (IV) COMBAT ACTION BADGE, (V) COMBAT RECOGNITION RIBBON, (VI) AIR FORCE COMBAT ACTION MEDAL, OR (VII) PURPLE HEART.

S 4. This act shall take effect immediately.