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IN SENATE

(Prefiled)

January 9, 2019

Introduced by Sens. HOYLMAN, ADDABBO, GIANARIS, KAPLAN, KRUEGER, MAYER, MONTGOMERY, RIVERA, SERRANO, SKOUFIS, THOMAS -- read twice and ordered printed, and when printed to be committed to the Committee on Veterans, Homeland Security and Military Affairs -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- reported favorably from said committee, ordered to first and second report, ordered to a third reading, amended and ordered reprinted, retaining its place in the order of third reading

AN ACT to amend the executive law, the civil service law, the county law, the economic development law, the education law, the election law, the general construction law, the general municipal law, the military law, the correction law, the environmental conservation law, the general business law, the highway law, the insurance law, the judiciary law, the private housing finance law, the public health law, the public housing law, the public officers law, the real property tax law, the social services law, the tax law, the town law, the vehicle and traffic law, and the workers' compensation law, in relation to veterans with qualifying conditions and discharged LGBT veterans

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. Section 350 of the executive law is amended by adding two
2 new subdivisions 8 and 9 to read as follows:

3 8. The term "qualifying condition" means a diagnosis of post-traumatic
4 stress disorder or traumatic brain injury made by, or an experience of
5 military sexual trauma, as described in 38 USC 1720D, as amended from
6 time to time, disclosed to, an individual licensed to provide health
7 care services at a United States Department of Veterans Affairs facili-
8 ty. The division shall develop a standardized form used to confirm that
9 the veteran has a qualifying condition under this subdivision.

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

LBD00460-08-9

1 9. The term "discharged LGBT veteran" means a veteran who was
2 discharged less than honorably from military or naval service due to
3 their sexual orientation or gender identity or expression, as those
4 terms are defined in section two hundred ninety-two of this chapter, or
5 statements, consensual sexual conduct, or consensual acts relating to
6 sexual orientation, gender identity or expression, or the disclosure of
7 such statements, conduct, or acts, that were prohibited by the military
8 or naval service at the time of discharge. The division shall establish
9 a consistent and uniform process to determine whether a veteran quali-
10 fies as a discharged LGBT veteran under this subdivision, including, at
11 a minimum, standards for verifying a veteran's status as a discharged
12 LGBT veteran, and a method of demonstrating eligibility as a discharged
13 LGBT veteran.

14 § 2. Paragraph (b) of subdivision 5 of section 50 of the civil service
15 law, as amended by chapter 35 of the laws of 2018, is amended to read as
16 follows:

17 (b) Notwithstanding the provisions of paragraph (a) of this subdivi-
18 sion, the state civil service department, subject to the approval of the
19 director of the budget, a municipal commission, subject to the approval
20 of the governing board or body of the city or county, as the case may
21 be, or a regional commission or personnel officer, pursuant to govern-
22 mental agreement, may elect to waive application fees, or to abolish
23 fees for specific classes of positions or types of examinations or
24 candidates, or to establish a uniform schedule of reasonable fees
25 different from those prescribed in paragraph (a) of this subdivision,
26 specifying in such schedule the classes of positions or types of exam-
27 inations or candidates to which such fees shall apply; provided, howev-
28 er, that fees shall be waived for candidates who certify to the state
29 civil service department, a municipal commission or a regional commis-
30 sion that they are unemployed and primarily responsible for the support
31 of a household, or are receiving public assistance. Provided further,
32 the state civil service department shall waive the state application fee
33 for examinations for original appointment for all veterans. Notwith-
34 standing any other provision of law, for purposes of this section, the
35 term "veteran" shall mean a person who has served in the armed forces of
36 the United States or the reserves thereof, or in the army national
37 guard, air national guard, New York guard, or the New York naval mili-
38 tia, and who (1) has been honorably discharged or released from such
39 service under honorable conditions, or (2) has a qualifying condition,
40 as defined in section three hundred fifty of the executive law, and has
41 received a discharge other than bad conduct or dishonorable from such
42 service, or (3) is a discharged LGBT veteran, as defined in section
43 three hundred fifty of the executive law, and has received a discharge
44 other than bad conduct or dishonorable from such service. The term
45 "armed forces" shall mean the army, navy, air force, marine corps, and
46 coast guard.

47 § 3. Paragraph (b) of subdivision 1 of section 75 of the civil service
48 law, as amended by chapter 350 of the laws of 1989, is amended to read
49 as follows:

50 (b) a person holding a position by permanent appointment or employment
51 in the classified service of the state or in the several cities, coun-
52 ties, towns, or villages thereof, or in any other political or civil
53 division of the state or of a municipality, or in the public school
54 service, or in any public or special district, or in the service of any
55 authority, commission or board, or in any other branch of public
56 service, who was honorably discharged or released under honorable

1 circumstances from the armed forces of the United States including (i)
2 having a qualifying condition as defined in section three hundred fifty
3 of the executive law, and receiving a discharge other than bad conduct
4 or dishonorable from such service, or (ii) being a discharged LGBT
5 veteran, as defined in section three hundred fifty of the executive law,
6 and receiving a discharge other than bad conduct or dishonorable from
7 such service, having served therein as such member in time of war as
8 defined in section eighty-five of this chapter, or who is an exempt
9 volunteer firefighter as defined in the general municipal law, except
10 when a person described in this paragraph holds the position of private
11 secretary, cashier or deputy of any official or department, or

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

15 (a) The terms "veteran" and "non-disabled veteran" mean a member of
16 the armed forces of the United States who served therein in time of war,
17 who was honorably discharged or released under honorable circumstances
18 from such service including (i) having a qualifying condition as defined
19 in section three hundred fifty of the executive law, and receiving a
20 discharge other than bad conduct or dishonorable from such service, or
21 (ii) being a discharged LGBT veteran, as defined in section three
22 hundred fifty of the executive law, and receiving a discharge other than
23 bad conduct or dishonorable from such service, who is a citizen of the
24 United States or an alien lawfully admitted for permanent residence in
25 the United States and who is a resident of the state of New York at the
26 time of application for appointment or promotion or at the time of
27 retention, as the case may be.

28 § 5. Subparagraph 2 of paragraph (b) of subdivision 1 of section 85 of
29 the civil service law, as amended by chapter 616 of the laws of 1995, is
30 amended to read as follows:

31 (2) A veteran who served in world war II, who continued to serve in
32 the armed forces of the United States after the second day of September,
33 nineteen hundred forty-five, or who was employed by the War Shipping
34 Administration or Office of Defense Transportation or their agents as a
35 merchant seaman documented by the United States Coast Guard or Depart-
36 ment of Commerce, or as a civil servant employed by the United States
37 Army Transport Service (later redesignated as the United States Army
38 Transportation Corps, Water Division) or the Naval Transportation
39 Service; and who served satisfactorily as a crew member during the peri-
40 od of armed conflict, December seventh, nineteen hundred forty-one, to
41 August fifteenth, nineteen hundred forty-five, aboard merchant vessels
42 in oceangoing, i.e., foreign, intercoastal, or coastwise service as such
43 terms are defined under federal law (46 USCA 10301 & 10501) and further
44 to include "near foreign" voyages between the United States and Canada,
45 Mexico, or the West Indies via ocean routes, or public vessels in ocean-
46 going service or foreign waters and who has received a Certificate of
47 Release or Discharge from Active Duty and a discharge certificate, or an
48 Honorable Service Certificate/Report of Casualty, from the Department of
49 Defense, or who served as a United States civilian employed by the Amer-
50 ican Field Service and served overseas under United States Armies and
51 United States Army Groups in world war II during the period of armed
52 conflict, December seventh, nineteen hundred forty-one through May
53 eighth, nineteen hundred forty-five, and who (i) was discharged or
54 released therefrom under honorable [conditions,] circumstances or (ii)
55 has a qualifying condition, as defined in section three hundred fifty of
56 the executive law, and has received a discharge other than bad conduct

1 or dishonorable from such service, or (iii) is a discharged LGBT veter-
2 an, as defined in section three hundred fifty of the executive law, and
3 has received a discharge other than bad conduct or dishonorable from
4 such service, or who served as a United States civilian Flight Crew and
5 Aviation Ground Support Employee of Pan American World Airways or one of
6 its subsidiaries or its affiliates and served overseas as a result of
7 Pan American's contract with Air Transport Command or Naval Air Trans-
8 port Service during the period of armed conflict, December fourteenth,
9 nineteen hundred forty-one through August fourteenth, nineteen hundred
10 forty-five, and who (iv) was discharged or released therefrom under
11 honorable [~~conditions,~~] circumstances or (v) has a qualifying condition,
12 as defined in section three hundred fifty of the executive law, and has
13 received a discharge other than bad conduct or dishonorable from such
14 service, or (vi) is a discharged LGBT veteran, as defined in section
15 three hundred fifty of the executive law, and has received a discharge
16 other than bad conduct or dishonorable from such service, and who is
17 certified, as hereinbefore provided, by the United States veterans'
18 administration as receiving disability payments upon the certification
19 of such veterans' administration for a disability incurred by him in
20 such service on or before the date that world war II is declared termi-
21 nated.

22 § 6. Section 86 of the civil service law, as amended by chapter 476 of
23 the laws of 2018, is amended to read as follows:

24 § 86. Transfer of veterans or exempt volunteer firefighters upon abol-
25 ition of positions. If the position in the non-competitive or in the
26 labor class held by any honorably discharged veteran of the armed forces
27 of the United States or by any veteran of the armed forces of the United
28 States released under honorable circumstances from such service includ-
29 ing (i) having a qualifying condition as defined in section three
30 hundred fifty of the executive law, and receiving a discharge other than
31 bad conduct or dishonorable from such service, or (ii) being a
32 discharged LGBT veteran, as defined in section three hundred fifty of
33 the executive law, and receiving a discharge other than bad conduct or
34 dishonorable from such service, who served therein in time of war as
35 defined in section eighty-five of this chapter, or by an exempt volun-
36 teer firefighter as defined in the general municipal law, shall become
37 unnecessary or be abolished for reasons of economy or otherwise, the
38 honorably discharged veteran or exempt volunteer firefighter holding
39 such position shall not be discharged from the public service but shall
40 be transferred to a similar position wherein a vacancy exists, and shall
41 receive the same compensation therein. It is hereby made the duty of all
42 persons clothed with the power of appointment to make such transfer
43 effective. The right to transfer herein conferred shall continue for a
44 period of one year following the date of abolition of the position, and
45 may be exercised only where a vacancy exists in an appropriate position
46 to which transfer may be made at the time of demand for transfer. Where
47 the positions of more than one such veteran or exempt volunteer fire-
48 fighter are abolished and a lesser number of vacancies in similar posi-
49 tions exist to which transfer may be made, the veterans or exempt volun-
50 teer firefighters whose positions are abolished shall be entitled to
51 transfer to such vacancies in the order of their original appointment in
52 the service. Nothing in this section shall be construed to apply to the
53 position of private secretary, cashier or deputy of any official or
54 department. This section shall have no application to persons encom-
55 passed by section eighty-a of this chapter.

§ 7. Section 831 of the county law, as added by chapter 653 of the laws of 1986, is amended to read as follows:

§ 831. Soldier burial plots in Dutchess county. The legislature of the county of Dutchess may authorize the purchase of burial plots and provide for marker settings and perpetual care and maintenance of such plots in one or more of the cemeteries of the county of Dutchess for deceased veterans, who, at the time of death, were residents of the county of Dutchess and who (i) were discharged from the armed forces of the United States either honorably or under honorable circumstances, or (ii) had a qualifying condition, as defined in section three hundred fifty of the executive law, and received a discharge other than bad conduct or dishonorable, or (iii) were a discharged LGBT veteran, as defined in section three hundred fifty of the executive law, and received a discharge other than bad conduct or dishonorable. The expense thereof shall be a county charge.

§ 8. Subdivision 6 of section 210 of the economic development law, as added by chapter 398 of the laws of 2018, is amended to read as follows:

6. "Veteran" shall mean a person who served in [~~and who has received an honorable or general discharge from,~~] the United States army, navy, air force, marines, coast guard, and/or reserves thereof, and/or in the army national guard, air national guard, New York guard and/or New York naval militia and who (a) has received an honorable or general discharge from such service, or (b) has a qualifying condition, as defined in section three hundred fifty of the executive law, and has received a discharge other than bad conduct or dishonorable from such service, or (c) is a discharged LGBT veteran, as defined in section three hundred fifty of the executive law, and has received a discharge other than bad conduct or dishonorable from such service.

§ 9. Paragraph c of subdivision 1 of section 360 of the education law, as amended by chapter 699 of the laws of 2005, is amended to read as follows:

c. Adopt and enforce campus rules and regulations not inconsistent with the vehicle and traffic law relating to parking, vehicular and pedestrian traffic, and safety. Such rules and regulations may include provisions for the disposition of abandoned vehicles, removal by towing or otherwise of vehicles parked in violation of such rules at the expense of the owner, the payment of fees for the registration or parking of such vehicles, provided that such campus rules and regulations may provide that any veteran attending the state university as a student shall be exempt from any fees for parking or registering a motor vehicle, and the assessment of administrative fines upon the owner or operator of such vehicles for each violation of the regulations. However, no such fine may be imposed without a hearing or an opportunity to be heard conducted by an officer or board designated by the board of trustees. Such fines, in the case of an officer or employee of state university, may be deducted from the salary or wages of such officer or employee found in violation of such regulations, or in the case of a student of state university found in violation of such regulations, the university may withhold his grades and transcripts until such time as any fine is paid. For purposes of this subdivision, the term "veteran" shall mean a member of the armed forces of the United States who served in such armed forces in time of war and who (i) was honorably discharged or released under honorable circumstances from such service, or (ii) has a qualifying condition, as defined in section three hundred fifty of the executive law, and has received a discharge other than bad conduct or dishonorable from such service, or (iii) is a discharged LGBT veteran,

1 as defined in section three hundred fifty of the executive law, and has
2 received a discharge other than bad conduct or dishonorable from such
3 service.

4 § 10. The opening paragraph of subdivision 6 of section 503 of the
5 education law, as amended by chapter 616 of the laws of 1995, is amended
6 to read as follows:

7 Credit for service in war after world war I, which shall mean military
8 service during the period commencing the first day of July, nineteen
9 hundred forty, and terminating the thirtieth day of June, nineteen
10 hundred forty-seven, or during the period commencing the twenty-seventh
11 day of June, nineteen hundred fifty, and terminating the thirty-first
12 day of January, nineteen hundred fifty-five, or during both such peri-
13 ods, as a member of the armed forces of the United States, of any person
14 who (i) has been honorably discharged or released under honorable
15 circumstances from such service, or (ii) has a qualifying condition, as
16 defined in section three hundred fifty of the executive law, and has
17 received a discharge other than bad conduct or dishonorable from such
18 service, or (iii) is a discharged LGBT veteran, as defined in section
19 three hundred fifty of the executive law, and has received a discharge
20 other than bad conduct or dishonorable from such service, or service by
21 one who was employed by the War Shipping Administration or Office of
22 Defense Transportation or their agents as a merchant seaman documented
23 by the United States Coast Guard or Department of Commerce, or as a
24 civil servant employed by the United States Army Transport Service
25 (later redesignated as the United States Army Transportation Corps,
26 Water Division) or the Naval Transportation Service; and who served
27 satisfactorily as a crew member during the period of armed conflict,
28 December seventh, nineteen hundred forty-one, to August fifteenth, nine-
29 teen hundred forty-five, aboard merchant vessels in oceangoing, i.e.,
30 foreign, intercoastal, or coastwise service as such terms are defined
31 under federal law (46 USCA 10301 & 10501) and further to include "near
32 foreign" voyages between the United States and Canada, Mexico, or the
33 West Indies via ocean routes, or public vessels in oceangoing service or
34 foreign waters and who has received a Certificate of Release or
35 Discharge from Active Duty and a discharge certificate, or an Honorable
36 Service Certificate/Report of Casualty, from the Department of Defense
37 or who served as a United States civilian employed by the American Field
38 Service and served overseas under United States Armies and United States
39 Army Groups in world war II during the period of armed conflict, Decem-
40 ber seventh, nineteen hundred forty-one through May eighth, nineteen
41 hundred forty-five, and (iv) who was discharged or released therefrom
42 under honorable conditions, or (v) has a qualifying condition, as
43 defined in section three hundred fifty of the executive law, and has
44 received a discharge other than bad conduct or dishonorable from such
45 service, or (vi) is a discharged LGBT veteran, as defined in section
46 three hundred fifty of the executive law, and has received a discharge
47 other than bad conduct or dishonorable from such service, or who served
48 as a United States civilian Flight Crew and Aviation Ground Support
49 Employee of Pan American World Airways or one of its subsidiaries or its
50 affiliates and served overseas as a result of Pan American's contract
51 with Air Transport Command or Naval Air Transport Service during the
52 period of armed conflict, December fourteenth, nineteen hundred forty-
53 one through August fourteenth, nineteen hundred forty-five, and who
54 (vii) was discharged or released therefrom under honorable conditions,
55 or (viii) has a qualifying condition, as defined in section three
56 hundred fifty of the executive law, and has received a discharge other

1 than bad conduct or dishonorable from such service, or (ix) is a
2 discharged LGBT veteran, as defined in section three hundred fifty of
3 the executive law, and has received a discharge other than bad conduct
4 or dishonorable from such service, and who was a teacher in the public
5 schools of this state at the time of his entrance into the armed forces
6 of the United States, provided no compensation was received under the
7 provisions of section two hundred forty-two of the military law, and who
8 returned to public school teaching following discharge or completion of
9 advanced education provided under servicemen's readjustment act of nine-
10 teen hundred forty-four, or who following such discharge or release
11 entered into a service which would qualify him pursuant to section
12 forty-three of the retirement and social security law to transfer his
13 membership in the New York state teachers' retirement system, shall be
14 provided as follows, any provisions of section two hundred forty-three
15 of the military law to the contrary notwithstanding.

16 § 11. Subdivision 7 of section 503 of the education law, as amended by
17 chapter 40 of the laws of 1967, is amended to read as follows:

18 7. A teacher, who was a member of the New York state teachers retire-
19 ment system but who withdrew his accumulated contributions immediately
20 prior to his entry into, or during his service in the armed forces of
21 the United States in war after World War I, who (i) has been honorably
22 discharged or released from service, or (ii) has a qualifying condition,
23 as defined in section three hundred fifty of the executive law, and has
24 received a discharge other than bad conduct or dishonorable from such
25 service, or (iii) is a discharged LGBT veteran, as defined in section
26 three hundred fifty of the executive law, and has received a discharge
27 other than bad conduct or dishonorable from such service, provided no
28 compensation was received under the provisions of section two hundred
29 forty-two of the military law, and who returned to public school teach-
30 ing in the state of New York following such discharge or release, or
31 following completion of advanced education provided under servicemen's
32 readjustment act of nineteen hundred forty-four, any provisions of
33 section two hundred forty-three of the military law to the contrary
34 notwithstanding, will be entitled to credit for service in war after
35 World War I, cost free, provided, however, that such credit will not be
36 allowed until he claims and pays for all prior teaching service credited
37 to him at the time of his termination of membership in the New York
38 state teachers retirement system, and provided further that claim for
39 such service in war after World War I shall be filed by the member with
40 the retirement board before the first day of July, nineteen hundred
41 sixty-eight.

42 § 12. Paragraph c of subdivision 9 of section 503 of the education
43 law, as added by chapter 801 of the laws of 1962 and as renumbered by
44 chapter 41 of the laws of 1966, is amended to read as follows:

45 c. (i) has been honorably discharged or released under honorable
46 circumstances from such service, or (ii) has a qualifying condition, as
47 defined in section three hundred fifty of the executive law, and has
48 received a discharge other than bad conduct or dishonorable from such
49 service, or (iii) is a discharged LGBT veteran, as defined in section
50 three hundred fifty of the executive law, and has received a discharge
51 other than bad conduct or dishonorable from such service, and

52 § 13. Paragraph a of subdivision 10 of section 503 of the education
53 law, as amended by chapter 616 of the laws of 1995, is amended to read
54 as follows:

55 a. In addition to credit for military service pursuant to section two
56 hundred forty-three of the military law and subdivisions six through

1 nine of this section, a member employed as a full-time teacher by an
2 employer as defined in subdivision three of section five hundred one of
3 ~~[the education law]~~ this article and who joined the retirement system
4 prior to July first, nineteen hundred seventy-three, may obtain credit
5 for military service not in excess of three years and not otherwise
6 creditable under section two hundred forty-three of the military law and
7 subdivisions six through nine of this section, rendered on active duty
8 in the armed forces of the United States during the period commencing
9 July first, nineteen hundred forty, and terminating December thirty-
10 first, nineteen hundred forty-six, or on service by one who was employed
11 by the War Shipping Administration or Office of Defense Transportation
12 or their agents as a merchant seaman documented by the United States
13 Coast Guard or Department of Commerce, or as a civil servant employed by
14 the United States Army Transport Service (later redesignated as the
15 United States Army Transportation Corps, Water Division) or the Naval
16 Transportation Service; and who served satisfactorily as a crew member
17 during the period of armed conflict, December seventh, nineteen hundred
18 forty-one, to August fifteenth, nineteen hundred forty-five, aboard
19 merchant vessels in oceangoing, i.e., foreign, intercoastal, or coast-
20 wise service as such terms are defined under federal law (46 USCA 10301
21 & 10501) and further to include "near foreign" voyages between the
22 United States and Canada, Mexico, or the West Indies via ocean routes,
23 or public vessels in oceangoing service or foreign waters and who has
24 received a Certificate of Release or Discharge from Active Duty and a
25 discharge certificate, or an Honorable Service Certificate/Report of
26 Casualty, from the Department of Defense or on service by one who served
27 as a United States civilian employed by the American Field Service and
28 served overseas under United States Armies and United States Army Groups
29 in world war II during the period of armed conflict, December seventh,
30 nineteen hundred forty-one through May eighth, nineteen hundred forty-
31 five, and who (i) was discharged or released therefrom under honorable
32 conditions, or (ii) has a qualifying condition, as defined in section
33 three hundred fifty of the executive law, and has received a discharge
34 other than bad conduct or dishonorable from such service, or (iii) is a
35 discharged LGBT veteran, as defined in section three hundred fifty of
36 the executive law, and has received a discharge other than bad conduct
37 or dishonorable from such service, or on service by one who served as a
38 United States civilian Flight Crew and Aviation Ground Support Employee
39 of Pan American World Airways or one of its subsidiaries or its affil-
40 iates and served overseas as a result of Pan American's contract with
41 Air Transport Command or Naval Air Transport Service during the period
42 of armed conflict, December fourteenth, nineteen hundred forty-one
43 through August fourteenth, nineteen hundred forty-five, and who (iv) was
44 discharged or released therefrom under honorable conditions, or (v) has
45 a qualifying condition, as defined in section three hundred fifty of the
46 executive law, and has received a discharge other than bad conduct or
47 dishonorable from such service, or (vi) is a discharged LGBT veteran, as
48 defined in section three hundred fifty of the executive law, and has
49 received a discharge other than bad conduct or dishonorable from such
50 service, by a person who was a resident of New York state at the time of
51 entry into such service and at the time of being discharged therefrom
52 under honorable circumstances, and who makes the payments required in
53 accordance with the provisions of this subdivision.

54 However, no military service shall be creditable under this subdivi-
55 sion in the case of a member who is receiving a military pension (other

1 than for disability) for military service in the armed forces of the
2 United States.

3 § 14. Paragraph a of subdivision 10-a of section 503 of the education
4 law, as amended by chapter 616 of the laws of 1995, is amended to read
5 as follows:

6 a. In addition to credit for military service pursuant to section two
7 hundred forty-three of the military law and subdivisions six through
8 nine of this section, a member who joined the retirement system prior to
9 July first, nineteen hundred seventy-three, and who was not eligible for
10 credit for military service under subdivision ten of this section as a
11 result of being on a leave of absence without pay between July twenti-
12 eth, nineteen hundred seventy-six and October fifteenth, nineteen
13 hundred seventy-seven or on leave of absence with less than full pay
14 between July twentieth, nineteen hundred seventy-six and October
15 fifteenth, nineteen hundred seventy-seven, may obtain credit for mili-
16 tary service not in excess of three years and not otherwise creditable
17 under section two hundred forty-three of the military law and subdivi-
18 sions six through nine of this section, rendered on active duty in the
19 armed forces of the United States during the period commencing July
20 first, nineteen hundred forty, and terminating December thirty-first,
21 nineteen hundred forty-six, or on service by one who was employed by the
22 War Shipping Administration or Office of Defense Transportation or their
23 agents as a merchant seaman documented by the United States Coast Guard
24 or Department of Commerce, or as a civil servant employed by the United
25 States Army Transport Service (later redesignated as the United States
26 Army Transportation Corps, Water Division) or the Naval Transportation
27 Service; and who served satisfactorily as a crew member during the peri-
28 od of armed conflict, December seventh, nineteen hundred forty-one, to
29 August fifteenth, nineteen hundred forty-five, aboard merchant vessels
30 in oceangoing, i.e., foreign, intercoastal, or coastwise service as such
31 terms are defined under federal law (46 USCA 10301 & 10501) and further
32 to include "near foreign" voyages between the United States and Canada,
33 Mexico, or the West Indies via ocean routes, or public vessels in ocean-
34 going service or foreign waters and who has received a Certificate of
35 Release or Discharge from Active Duty and a discharge certificate, or an
36 Honorable Service Certificate/Report of Casualty, from the Department of
37 Defense, or on service by one who served as a United States civilian
38 employed by the American Field Service and served overseas under United
39 States Armies and United States Army Groups in world war II during the
40 period of armed conflict, December seventh, nineteen hundred forty-one
41 through May eighth, nineteen hundred forty-five, and who (i) was
42 discharged or released therefrom under honorable conditions, or (ii) has
43 a qualifying condition, as defined in section three hundred fifty of the
44 executive law, and has received a discharge other than bad conduct or
45 dishonorable from such service, or (iii) is a discharged LGBT veteran,
46 as defined in section three hundred fifty of the executive law, and has
47 received a discharge other than bad conduct or dishonorable from such
48 service, or on service by one who served as a United States civilian
49 Flight Crew and Aviation Ground Support Employee of Pan American World
50 Airways or one of its subsidiaries or its affiliates and served overseas
51 as a result of Pan American's contract with Air Transport Command or
52 Naval Air Transport Service during the period of armed conflict, Decem-
53 ber fourteenth, nineteen hundred forty-one through August fourteenth,
54 nineteen hundred forty-five, and who (iv) was discharged or released
55 therefrom under honorable conditions, or (v) has a qualifying condition,
56 as defined in section three hundred fifty of the executive law, and has

1 received a discharge other than bad conduct or dishonorable from such
2 service, or (vi) is a discharged LGBT veteran, as defined in section
3 three hundred fifty of the executive law, and has received a discharge
4 other than bad conduct or dishonorable from such service, by a person
5 who was a resident of New York state at the time of entry into such
6 service and at the time of being discharged therefrom under honorable
7 circumstances, and who makes the payments required in accordance with
8 the provisions of this subdivision.

9 However, no military service shall be creditable under this subdivi-
10 sion in the case of a member who is receiving a military pension (other
11 than for disability) for military service in the armed forces of the
12 United States.

13 § 15. Paragraph (b) of subdivision 1 of section 668 of the education
14 law, as amended by chapter 616 of the laws of 1995, is amended to read
15 as follows:

16 (b) December seven, nineteen hundred forty-one to December thirty-one,
17 nineteen hundred forty-six, or have been employed by the War Shipping
18 Administration or Office of Defense Transportation or their agents as a
19 merchant seaman documented by the United States Coast Guard or Depart-
20 ment of Commerce, or as a civil servant employed by the United States
21 Army Transport Service (later redesignated as the United States Army
22 Transportation Corps, Water Division) or the Naval Transportation
23 Service; and who served satisfactorily as a crew member during the peri-
24 od of armed conflict, December seventh, nineteen hundred forty-one, to
25 August fifteenth, nineteen hundred forty-five, aboard merchant vessels
26 in oceangoing, i.e., foreign, intercoastal, or coastwise service as such
27 terms are defined under federal law (46 USCA 10301 & 10501) and further
28 to include "near foreign" voyages between the United States and Canada,
29 Mexico, or the West Indies via ocean routes, or public vessels in ocean-
30 going service or foreign waters and who has received a Certificate of
31 Release or Discharge from Active Duty and a discharge certificate, or an
32 Honorable Service Certificate/Report of Casualty, from the Department of
33 Defense or have served as a United States civilian employed by the Amer-
34 ican Field Service and served overseas under United States Armies and
35 United States Army Groups in world war II during the period of armed
36 conflict, December seventh, nineteen hundred forty-one through May
37 eighth, nineteen hundred forty-five, and who (i) was discharged or
38 released therefrom under honorable conditions, or (ii) has a qualifying
39 condition, as defined in section three hundred fifty of the executive
40 law, and has received a discharge other than bad conduct or dishonorable
41 from such service, or (iii) is a discharged LGBT veteran, as defined in
42 section three hundred fifty of the executive law, and has received a
43 discharge other than bad conduct or dishonorable from such service, or
44 have served as a United States civilian Flight Crew and Aviation Ground
45 Support Employee of Pan American World Airways or one of its subsid-
46 iaries or its affiliates and served overseas as a result of Pan Ameri-
47 can's contract with Air Transport Command or Naval Air Transport Service
48 during the period of armed conflict, December fourteenth, nineteen
49 hundred forty-one through August fourteenth, nineteen hundred forty-
50 five, and who (iv) was discharged or released therefrom under honorable
51 conditions, or (v) has a qualifying condition, as defined in section
52 three hundred fifty of the executive law, and has received a discharge
53 other than bad conduct or dishonorable from such service, or (vi) is a
54 discharged LGBT veteran, as defined in section three hundred fifty of
55 the executive law, and has received a discharge other than bad conduct
56 or dishonorable from such service.

§ 16. Paragraph (b) of subdivision 2 of section 668 of the education law, as amended by chapter 390 of the laws of 1995, is amended to read as follows:

(b) (i) is an honorably discharged veteran of the United States or member of the armed forces of the United States, or (ii) has a qualifying condition, as defined in section three hundred fifty of the executive law, and has received a discharge other than bad conduct or dishonorable from such service, or (iii) is a discharged LGBT veteran, as defined in section three hundred fifty of the executive law, and has received a discharge other than bad conduct or dishonorable from such service, who is a resident of the state of New York, and who has a current disability of forty percent or more as a result of an injury or illness which is incurred or was incurred during such military service; or

§ 17. Subdivision 1 of section 668-c of the education law, as added by chapter 474 of the laws of 2000, is amended to read as follows:

1. Eligible students. Awards shall be made to Vietnam veterans' resident children born with Spina Bifida enrolled in approved undergraduate or graduate programs at degree granting institutions. For the purpose of this section, "Vietnam veteran" shall mean a person who served in Indochina at any time from the twenty-second day of December, nineteen hundred sixty-one, to and including the seventh day of May, nineteen hundred seventy-five and (a) was honorably discharged from the armed forces of the United States, or (b) has a qualifying condition, as defined in section three hundred fifty of the executive law, and has received a discharge other than bad conduct or dishonorable from the armed forces of the United States, or (c) is a discharged LGBT veteran, as defined in section three hundred fifty of the executive law, and has received a discharge other than bad conduct or dishonorable from the armed forces of the United States; "born with Spina Bifida" shall mean a diagnosis at birth of such disease inclusive of all forms, manifestations, complications and associated medical conditions thereof, but shall not include Spina Bifida Occulta. Such diagnosis shall be in accordance with the provisions of the federal Spina Bifida program and shall be documented by the United States Administration of Veterans' Affairs.

§ 18. Subdivision 1 of section 669-a of the education law, as amended by section 2 of part N of chapter 57 of the laws of 2008, is amended to read as follows:

1. As used in this section, the following terms shall have the following meanings:

a. "Vietnam veteran" means (i) a person who is a resident of this state, (ii) who served in the armed forces of the United States in Indochina at any time from the twenty-eighth day of February, nineteen hundred sixty-one, to and including the seventh day of May, nineteen hundred seventy-five, and (iii) who was either discharged therefrom under honorable conditions, including but not limited to honorable discharge, discharge under honorable conditions, or general discharge, or has a qualifying condition, as defined in section three hundred fifty of the executive law, and has received a discharge other than bad conduct or dishonorable from such service, or is a discharged LGBT veteran, as defined in section three hundred fifty of the executive law, and has received a discharge other than bad conduct or dishonorable from such service.

b. "Persian Gulf veteran" means (i) a person who is a resident of this state, (ii) who served in the armed forces of the United States in the

1 hostilities that occurred in the Persian Gulf from the second day of
2 August, nineteen hundred ninety through the end of such hostilities, and
3 (iii) who was either discharged therefrom under honorable conditions,
4 including but not limited to honorable discharge, discharge under honor-
5 able conditions, or general discharge, or has a qualifying condition, as
6 defined in section three hundred fifty of the executive law, and has
7 received a discharge other than bad conduct or dishonorable from such
8 service, or is a discharged LGBT veteran, as defined in section three
9 hundred fifty of the executive law, and has received a discharge other
10 than bad conduct or dishonorable from such service.

11 c. "Afghanistan veteran" means (i) a person who is a resident of this
12 state, (ii) who served in the armed forces of the United States in the
13 hostilities that occurred in Afghanistan from the eleventh day of
14 September, two thousand one, to the end of such hostilities, and (iii)
15 who was either discharged therefrom under honorable conditions, includ-
16 ing but not limited to honorable discharge, discharge under honorable
17 conditions, or general discharge, or has a qualifying condition, as
18 defined in section three hundred fifty of the executive law, and has
19 received a discharge other than bad conduct or dishonorable from such
20 service, or is a discharged LGBT veteran, as defined in section three
21 hundred fifty of the executive law, and has received a discharge other
22 than bad conduct or dishonorable from such service.

23 d. "Other eligible combat veteran" means: an individual who (i) is a
24 resident of this state, (ii) served in the armed forces of the United
25 States in hostilities that occurred after February twenty-eighth, nine-
26 teen hundred sixty-one, as evidenced by their receipt of an Armed Forces
27 Expeditionary Medal, Navy Expeditionary Medal, or Marine Corps Expedi-
28 tionary Medal, and (iii) was either discharged under honorable condi-
29 tions, including but not limited to honorable discharge, discharge under
30 honorable conditions, or general discharge, or has a qualifying condi-
31 tion, as defined in section three hundred fifty of the executive law,
32 and has received a discharge other than bad conduct or dishonorable from
33 such service, or is a discharged LGBT veteran, as defined in section
34 three hundred fifty of the executive law, and has received a discharge
35 other than bad conduct or dishonorable from such service.

36 e. "Part time study" means enrollment for at least three but less than
37 twelve semester hours per semester, or the equivalent, in an approved
38 undergraduate or graduate program.

39 f. "Approved vocational training programs" means programs offered by
40 agencies approved by the commissioner for funding pursuant to this
41 section. The commissioner shall approve only such non-credit programs
42 which are at least three hundred twenty clock hours in length, and which
43 meet standards of instructional quality established in regulations by
44 the commissioner. These standards shall include, but not be limited to,
45 qualifications of administrative and instructional personnel, quality of
46 facilities and equipment, recordkeeping, admission, grading, attendance,
47 and record of placement of completers which meets standards of accepta-
48 bility as established by the commissioner.

49 § 19. Subdivision 15 of section 1-104 of the election law is amended
50 to read as follows:

51 15. The term "veterans' hospital" means any sanitarium, hospital,
52 soldiers' and sailors' home, United States Veterans' Administration
53 Hospital, or other home or institution, which is used, operated and
54 conducted exclusively for the care, maintenance and treatment of persons
55 serving in [~~or honorably discharged from~~] the military or naval service
56 or coast guard of the United States or the state of New York, or persons

1 who (a) were honorably discharged from such service, or (b) have a qual-
2 ifying condition, as defined in section three hundred fifty of the exec-
3 utive law, and have received a discharge other than bad conduct or
4 dishonorable from such service, or (c) are a discharged LGBT veteran, as
5 defined in section three hundred fifty of the executive law, and have
6 received a discharge other than bad conduct or dishonorable from such
7 service.

8 § 20. Subdivision 4 of section 5-210 of the election law, as amended
9 by chapter 179 of the laws of 2005, is amended to read as follows:

10 4. Any qualified person who has been honorably discharged from the
11 military after the twenty-fifth day before a general election, or who
12 has a qualifying condition, as defined in section three hundred fifty of
13 the executive law, and has received a discharge other than bad conduct
14 or dishonorable from the military after the twenty-fifth day before a
15 general election, or who is a discharged LGBT veteran, as defined in
16 section three hundred fifty of the executive law, and has received a
17 discharge other than bad conduct or dishonorable from the military after
18 the twenty-fifth day before a general election, or who has become a
19 naturalized citizen after the twenty-fifth day before a general election
20 may personally register at the board of elections in the county of his
21 or her residence and vote in the general election held at least ten days
22 after such registration.

23 § 21. Subdivision 13 of section 353 of the executive law, as added by
24 chapter 652 of the laws of 2007, is amended to read as follows:

25 13. To make application to the government of the United States or any
26 political subdivision, agency or instrumentality thereof, for funds for
27 the purpose of providing an optional fund for the burial of [~~honorably~~
28 ~~discharged~~] veterans who (i) were honorably discharged or (ii) had a
29 qualifying condition, as defined in section three hundred fifty of this
30 article, and received a discharge other than bad conduct or dishonor-
31 able, or (iii) were a discharged LGBT veteran, as defined in section
32 three hundred fifty of this article, and received a discharge other than
33 bad conduct or dishonorable, in any not-for-profit cemetery corporation
34 in this state; provided, however, that all costs associated with the
35 establishment of such optional fund shall be borne by the political
36 subdivision, agency or instrumentality with which the division has
37 contracted.

38 § 22. The opening paragraph of subdivision 2 of section 354-c of the
39 executive law, as added by chapter 652 of the laws of 2007, is amended
40 to read as follows:

41 As provided in subdivision thirteen of section three hundred fifty-
42 three of this article, there is hereby established within the division a
43 New York state veterans burial fund for honorably discharged members of
44 the armed forces of the United States who were residents of New York
45 state at the time of his or her death who (i) were honorably discharged
46 from such service, or (ii) had a qualifying condition, as defined in
47 section three hundred fifty of this article, and received a discharge
48 other than bad conduct or dishonorable from such service, or (iii) were
49 discharged LGBT veterans, as defined in section three hundred fifty of
50 this article, and received a discharge other than bad conduct or
51 dishonorable from such service.

52 § 23. Paragraph a of subdivision 1 of section 364 of the executive
53 law, as amended by chapter 333 of the laws of 1993, subparagraph 5 as
54 amended by chapter 616 of the laws of 1995, and subparagraph 7 as
55 amended by chapter 179 of the laws of 2006, is amended to read as
56 follows:

1 a. The word "veteran," as used in this article shall be taken to mean
2 and include any person who is a resident of the state of New York, and
3 who (i) has been or may be given an honorable, general or ordinary
4 discharge or any other form of release from such service, except a
5 dishonorable discharge, a bad conduct discharge, an undesirable
6 discharge, a discharge without honor or a discharge for the good of the
7 service, or (ii) has a qualifying condition, as defined in section three
8 hundred fifty of this article, and has received a discharge other than
9 bad conduct or dishonorable from such service, or (iii) is a discharged
10 LGBT veteran, as defined in section three hundred fifty of this article,
11 and has received a discharge other than bad conduct or dishonorable from
12 such service, and who [~~(i)~~] (iv) was a recipient of the armed forces
13 expeditionary medal, the navy expeditionary medal or the marine corps
14 expeditionary medal for participation in operations in Lebanon from June
15 first, nineteen hundred eighty-three to December first, nineteen hundred
16 eighty-seven, in Grenada from October twenty-third, nineteen hundred
17 eighty-three to November twenty-first, nineteen hundred eighty-three, or
18 in Panama from December twentieth, nineteen hundred eighty-nine to Janu-
19 ary thirty-first, nineteen hundred ninety, or [~~(ii)~~] (v) served on
20 active duty for ninety days or more in the armed forces of the United
21 States during any one of the following wars or hostilities:

22 (1) in the Spanish-American war from the twenty-first day of April,
23 eighteen hundred ninety-eight to the eleventh day of April, eighteen
24 hundred ninety-nine, inclusive;

25 (2) in the Philippine insurrection or the China relief expedition from
26 the eleventh day of April, eighteen hundred ninety-nine to the fourth
27 day of July, nineteen hundred two, inclusive;

28 (3) in the Mexican border campaign from the ninth day of May, nineteen
29 hundred sixteen, to the fifth day of April, nineteen hundred seventeen,
30 inclusive;

31 (4) in world war I from the sixth day of April, nineteen hundred
32 seventeen to the eleventh day of November, nineteen hundred eighteen,
33 inclusive;

34 (5) in world war II from the seventh day of December, nineteen hundred
35 forty-one to the thirty-first day of December, nineteen hundred forty-
36 six, inclusive, or who was employed by the War Shipping Administration
37 or Office of Defense Transportation or their agents as a merchant seaman
38 documented by the United States Coast Guard or Department of Commerce,
39 or as a civil servant employed by the United States Army Transport
40 Service (later redesignated as the United States Army Transportation
41 Corps, Water Division) or the Naval Transportation Service; and who
42 served satisfactorily as a crew member during the period of armed
43 conflict, December seventh, nineteen hundred forty-one, to August
44 fifteenth, nineteen hundred forty-five, aboard merchant vessels in
45 oceangoing, i.e., foreign, intercoastal, or coastwise service as such
46 terms are defined under federal law (46 USCA 10301 & 10501) and further
47 to include "near foreign" voyages between the United States and Canada,
48 Mexico, or the West Indies via ocean routes, or public vessels in ocean-
49 going service or foreign waters and who has received a Certificate of
50 Release or Discharge from Active Duty and a discharge certificate, or an
51 Honorable Service Certificate/Report of Casualty, from the Department of
52 Defense, or who served as a United States civilian employed by the Amer-
53 ican Field Service and served overseas under United States Armies and
54 United States Army Groups in world war II during the period of armed
55 conflict, December seventh, nineteen hundred forty-one through May
56 eighth, nineteen hundred forty-five, and who (i) was discharged or

1 released therefrom under honorable conditions, or (ii) has a qualifying
2 condition, as defined in section three hundred fifty of this article,
3 and has received a discharge other than bad conduct or dishonorable from
4 such service, or (iii) is a discharged LGBT veteran, as defined in
5 section three hundred fifty of this article, and has received a
6 discharge other than bad conduct or dishonorable from such service, or
7 who served as a United States civilian Flight Crew and Aviation Ground
8 Support Employee of Pan American World Airways or one of its subsid-
9 iaries or its affiliates and served overseas as a result of Pan Ameri-
10 can's contract with Air Transport Command or Naval Air Transport Service
11 during the period of armed conflict, December fourteenth, nineteen
12 hundred forty-one through August fourteenth, nineteen hundred forty-
13 five, and who (iv) was discharged or released therefrom under honorable
14 conditions, or (v) has a qualifying condition, as defined in section
15 three hundred fifty of this article, and has received a discharge other
16 than bad conduct or dishonorable from such service, or (vi) is a
17 discharged LGBT veteran, as defined in section three hundred fifty of
18 this article, and has received a discharge other than bad conduct or
19 dishonorable from such service;

20 (6) in the Korean hostilities from the twenty-seventh day of June,
21 nineteen hundred fifty to the thirty-first day of January, nineteen
22 hundred fifty-five, inclusive;

23 (7) in the Vietnam conflict from the twenty-eighth day of February,
24 nineteen hundred sixty-one to the seventh day of May, nineteen hundred
25 seventy-five;

26 (8) in the Persian Gulf conflict from the second day of August, nine-
27 teen hundred ninety to the end of such conflict.

28 § 24. Section 369-a of the executive law, as added by chapter 557 of
29 the laws of 2013, is amended to read as follows:

30 § 369-a. Legislative findings. The legislature hereby finds that it is
31 estimated that over the next five years, forty-four thousand veterans
32 are expected to return to this state from their military posts, making
33 the Empire State home to one of the largest veteran populations in the
34 country. Shockingly, the unemployment rate for Post-9/11 veterans in New
35 York was 10.7% in two thousand twelve, which is nearly one percent high-
36 er than the national average and higher than the state's overall 8.2%
37 unemployment rate. The legislature has found previously that it is in
38 the interest of the state to ensure that returning veterans have employ-
39 ment opportunities available upon their separation from military
40 service.

41 The state already encourages private businesses to hire military
42 veterans through tax credits and other economic incentives. In addition,
43 the legislature has previously found that state agencies spend millions
44 of dollars annually on temporary staff hired from temporary employment
45 service companies to cover temporary staffing needs. These temporary
46 state jobs could serve as a bridge for recently discharged military
47 veterans who have yet to find full-time permanent work. In addition,
48 these temporary assignments could serve to develop the next generation
49 of the state workforce and help with succession planning for the current
50 workforce.

51 The legislature declares it to be the policy of this state to use
52 ~~[honorably discharged]~~ veterans for temporary appointments in state
53 agencies rather than utilizing temporary employment service companies in
54 order to provide employment opportunities for returning military veter-
55 ans.

§ 25. Subdivision 7 of section 369-h of the executive law, as added by chapter 22 of the laws of 2014, is amended to read as follows:

7. "Veteran" shall mean a person who served in [~~and who has received an honorable or general discharge from,~~] the United States army, navy, air force, marines, coast guard, and/or reserves thereof, and/or in the army national guard, air national guard, New York guard and/or the New York naval militia, and who (i) has received an honorable or general discharge from such service, or (ii) has a qualifying condition, as defined in section three hundred fifty of this chapter, and has received a discharge other than bad conduct or dishonorable from such service, or (iii) is a discharged LGBT veteran, as defined in section three hundred fifty of this chapter, and has received a discharge other than bad conduct or dishonorable from such service.

§ 26. Section 13-a of the general construction law, as amended by chapter 616 of the laws of 1995, is amended to read as follows:

§ 13-a. Armed forces of the United States. "Armed forces of the United States" means the army, navy, marine corps, air force and coast guard, including all components thereof, and the national guard when in the service of the United States pursuant to call as provided by law. Pursuant to this definition no person shall be considered a member or veteran of the armed forces of the United States unless his or her service therein is or was on a full-time active duty basis, other than active duty for training or he or she was employed by the War Shipping Administration or Office of Defense Transportation or their agents as a merchant seaman documented by the United States Coast Guard or Department of Commerce, or as a civil servant employed by the United States Army Transport Service (later redesignated as the United States Army Transportation Corps, Water Division) or the Naval Transportation Service; and who served satisfactorily as a crew member during the period of armed conflict, December seventh, nineteen hundred forty-one, to August fifteenth, nineteen hundred forty-five, aboard merchant vessels in oceangoing, i.e., foreign, intercoastal, or coastwise service as such terms are defined under federal law (46 USCA 10301 & 10501) and further to include "near foreign" voyages between the United States and Canada, Mexico, or the West Indies via ocean routes, or public vessels in oceangoing service or foreign waters and who has received a Certificate of Release or Discharge from Active Duty and a discharge certificate, or an Honorable Service Certificate/Report of Casualty, from the Department of Defense or he or she served as a United States civilian employed by the American Field Service and served overseas under United States Armies and United States Army Groups in world war II during the period of armed conflict, December seventh, nineteen hundred forty-one through May eighth, nineteen hundred forty-five, and (i) was discharged or released therefrom under honorable conditions, or (ii) has a qualifying condition, as defined in section three hundred fifty of the executive law, and has received a discharge other than bad conduct or dishonorable from such service, or (iii) is a discharged LGBT veteran, as defined in section three hundred fifty of the executive law, and has received a discharge other than bad conduct or dishonorable from such service, or he or she served as a United States civilian Flight Crew and Aviation Ground Support Employee of Pan American World Airways or one of its subsidiaries or its affiliates and served overseas as a result of Pan American's contract with Air Transport Command or Naval Air Transport Service during the period of armed conflict, December fourteenth, nineteen hundred forty-one through August fourteenth, nineteen hundred forty-five, and (iv) was discharged or released therefrom under honor-

able conditions, or (v) has a qualifying condition, as defined in section three hundred fifty of the executive law, and has received a discharge other than bad conduct or dishonorable from such service, or (vi) is a discharged LGBT veteran, as defined in section three hundred fifty of the executive law, and has received a discharge other than bad conduct or dishonorable from such service.

§ 27. Paragraph (a) of subdivision 1 of section 148 of the general municipal law, as amended by chapter 613 of the laws of 1986, is amended to read as follows:

(a) The board of supervisors in each of the counties, or the board of estimate in the city of New York, shall designate some proper person, association or commission, other than that designated for the care of burial of public charges or criminals, who shall cause to be interred the body of any ~~[honorably discharged]~~ member of the armed forces of the United States who (i) was honorably discharged from such service or (ii) had a qualifying condition, as defined in section three hundred fifty of the executive law, and received a discharge other than bad conduct or dishonorable from such service, or (iii) was a discharged LGBT veteran, as defined in section three hundred fifty of the executive law, and received a discharge other than bad conduct or dishonorable from such service, or the body of any minor child or either parent, or the spouse or unremarried surviving spouse of any such member of the armed forces of the United States, if such person shall hereafter die in a county or in the city of New York without leaving sufficient means to defray his or her funeral expenses.

§ 28. Paragraph (b) of subdivision 2 of section 148 of the general municipal law, as amended by chapter 63 of the laws of 1976, is amended to read as follows:

(b) The headstone at the grave of the spouse or surviving spouse of such ~~[honorably discharged]~~ member of the armed forces of the United States shall contain the name of the deceased, the war in which his or her spouse served and, if possible, the organization to which he or she belonged or in which he or she served.

§ 29. Subdivision 1-b of section 247 of the military law, as amended by section 26 of part AA of chapter 56 of the laws of 2019, is amended to read as follows:

1-b. The adjutant general is hereby authorized to present in the name of the legislature of the state of New York, a certificate, to be known as the "Cold War Certificate", bearing a suitable inscription, to any person: (i) who is a citizen of the state of New York or (ii) who was a citizen of the state of New York while serving in the armed forces of the United States; (iii) who served in the United States Armed Forces during the period of time from September second, nineteen hundred forty-five through December twenty-sixth, nineteen hundred ninety-one, commonly known as the Cold War Era; and (iv) who was honorably discharged or released under honorable circumstances during the Cold War Era, or has a qualifying condition, as defined in section three hundred fifty of the executive law, and received a discharge other than bad conduct or dishonorable during the Cold War Era, or is a discharged LGBT veteran, as defined in section three hundred fifty of the executive law, and received a discharge other than bad conduct or dishonorable during the Cold War Era. Not more than one Cold War Certificate shall be awarded or presented, under the provisions of this subdivision, to any person whose entire service subsequent to the time of the receipt of such medal shall not have been honorable. In the event of the death of any person during or subsequent to the receipt of such certificate it

1 shall be presented to such representative of the deceased as may be
2 designated. The adjutant general, in consultation with the director of
3 the division of veterans' services, shall make such rules and regu-
4 lations as may be deemed necessary for the proper presentation and
5 distribution of the certificate.

6 § 30. Paragraph 1 of subdivision (a) of section 42 of the correction
7 law, as amended by chapter 139 of the laws of 2014, is amended to read
8 as follows:

9 1. There shall be within the commission a citizen's policy and
10 complaint review council. It shall consist of nine persons to be
11 appointed by the governor, by and with the advice and consent of the
12 senate. One person so appointed shall have served in the armed forces of
13 the United States in any foreign war, conflict or military occupation,
14 who (i) was discharged therefrom under other than dishonorable condi-
15 tions, or (ii) has a qualifying condition, as defined in section three
16 hundred fifty of the executive law, and has received a discharge other
17 than bad conduct or dishonorable from such service, or (iii) is a
18 discharged LGBT veteran, as defined in section three hundred fifty of
19 the executive law, and has received a discharge other than bad conduct
20 or dishonorable from such service, or shall be a duly licensed mental
21 health professional who has professional experience or training with
22 regard to post-traumatic stress syndrome. One person so appointed shall
23 be an attorney admitted to practice in this state. One person so
24 appointed shall be a former inmate of a correctional facility. One
25 person so appointed shall be a former correction officer. One person so
26 appointed shall be a former resident of a division for youth secure
27 center or a health care professional duly licensed to practice in this
28 state. One person so appointed shall be a former employee of the office
29 of children and family services who has directly supervised youth in a
30 secure residential center operated by such office. In addition, the
31 governor shall designate one of the full-time members other than the
32 chairman of the commission as chairman of the council to serve as such
33 at the pleasure of the governor.

34 § 31. Subdivision 5 of section 605 of the education law, as separately
35 amended by chapters 645 and 844 of the laws of 1975, is amended to read
36 as follows:

37 5. Regents scholarships for war veterans. Regents scholarships for war
38 veterans shall be awarded on a competitive basis, for study beginning
39 with the college year nineteen hundred seventy-five--nineteen hundred
40 seventy-six. Six hundred such scholarships shall be awarded in such year
41 to veterans of the armed forces of the United States who have served on
42 active duty (other than for training) between October one, nineteen
43 hundred sixty-one and March twenty-nine, nineteen hundred seventy-three,
44 and who on the date by which applications are required to be submitted
45 (a) have been released from such active duty on conditions not other
46 than honorable, or (b) have a qualifying condition, as defined in
47 section three hundred fifty of the executive law, and have received a
48 discharge other than bad conduct or dishonorable from such service, or
49 (c) are discharged LGBT veterans, as defined in section three hundred
50 fifty of the executive law, and have received a discharge other than bad
51 conduct or dishonorable from such service. Such scholarships shall be
52 allocated to each county in the state in the same ratio that the number
53 of legal residents in such county, as determined by the most recent
54 federal census, bears to the total number of residents in the state;
55 provided, however, that no county shall be allocated fewer scholarships

1 than such county received during the year nineteen hundred sixty-eight-
2 -sixty-nine.

3 § 32. Subparagraph 3 of paragraph b of subdivision 3 of section 663 of
4 the education law, as added by chapter 101 of the laws of 1992, is
5 amended to read as follows:

6 (3) The applicant was enlisted in full time active military service in
7 the armed forces of the United States and (i) has been honorably
8 discharged from such service, or (ii) has a qualifying condition, as
9 defined in section three hundred fifty of the executive law, and has
10 received a discharge other than bad conduct or dishonorable from such
11 service, or (iii) is a discharged LGBT veteran, as defined in section
12 three hundred fifty of the executive law, and has received a discharge
13 other than bad conduct or dishonorable from such service, and, provided,
14 however, that the applicant has not and will not be claimed as a depend-
15 ent by either parent for purposes of either federal or state income tax.

16 § 33. Subdivision 1 of section 3202 of the education law, as amended
17 by chapter 106 of the laws of 2003, is amended to read as follows:

18 1. A person over five and under twenty-one years of age who has not
19 received a high school diploma is entitled to attend the public schools
20 maintained in the district in which such person resides without the
21 payment of tuition. Provided further that such person may continue to
22 attend the public school in such district in the same manner, if tempo-
23 rarily residing outside the boundaries of the district when relocation
24 to such temporary residence is a consequence of such person's parent or
25 person in parental relationship being called to active military duty,
26 other than training. Notwithstanding any other provision of law to the
27 contrary, the school district shall not be required to provide transpor-
28 tation between a temporary residence located outside of the school
29 district and the school the child attends. A veteran of any age who
30 shall have served as a member of the armed forces of the United States
31 and who (a) shall have been discharged therefrom under conditions other
32 than dishonorable, or (b) has a qualifying condition, as defined in
33 section three hundred fifty of the executive law, and has received a
34 discharge other than bad conduct or dishonorable from such service, or
35 (c) is a discharged LGBT veteran, as defined in section three hundred
36 fifty of the executive law, and has received a discharge other than bad
37 conduct or dishonorable from such service, may attend any of the public
38 schools of the state upon conditions prescribed by the board of educa-
39 tion, and such veterans shall be included in the pupil count for state
40 aid purposes. A nonveteran under twenty-one years of age who has
41 received a high school diploma shall be permitted to attend classes in
42 the schools of the district in which such person resides or in a school
43 of a board of cooperative educational services upon payment of tuition
44 under such terms and conditions as shall be established in regulations
45 promulgated by the commissioner; provided, however, that a school
46 district may waive the payment of tuition for such nonveteran, but in
47 any case such a nonveteran who has received a high school diploma shall
48 not be counted for any state aid purposes. Nothing herein contained
49 shall, however, require a board of education to admit a child who
50 becomes five years of age after the school year has commenced unless his
51 birthday occurs on or before the first of December.

52 § 34. Subdivision 4 of section 11-0715 of the environmental conserva-
53 tion law, as amended by section 6 of part R of chapter 58 of the laws of
54 2013, is amended to read as follows:

55 4. A person, resident in the state for at least thirty days immediate-
56 ly prior to the date of application, who (a) has been honorably

1 discharged from service in the armed forces of the United States, or (b)
2 has a qualifying condition, as defined in section three hundred fifty of
3 the executive law, and has received a discharge other than bad conduct
4 or dishonorable from such service, or (c) is a discharged LGBT veteran,
5 as defined in section three hundred fifty of the executive law, and has
6 received a discharge other than bad conduct or dishonorable from such
7 service, and is certified as having a forty percent or greater service-
8 connected disability is entitled to receive all licenses, privileges,
9 tags, and permits authorized by this title for which he or she is eligi-
10 ble, except turkey permits, renewable each year for a five dollar fee.

11 § 35. Subparagraph (iv) of paragraph c of subdivision 1 of section
12 13-0328 of the environmental conservation law, as amended by chapter 21
13 of the laws of 2019, is amended to read as follows:

14 (iv) licenses shall be issued only to persons who demonstrate in a
15 manner acceptable to the department that they received an average of at
16 least fifteen thousand dollars of income over three consecutive years
17 from commercial fishing or fishing, or who successfully complete a
18 commercial food fish apprenticeship pursuant to subdivision seven of
19 this section. As used in this subparagraph, "commercial fishing" means
20 the taking and sale of marine resources including fish, shellfish, crus-
21 tacea or other marine biota and "fishing" means commercial fishing and
22 carrying fishing passengers for hire. Individuals who wish to qualify
23 based on income from "fishing" must hold a valid marine and coastal
24 district party and charter boat license. No more than ten percent of the
25 licenses issued each year based on income eligibility pursuant to this
26 paragraph shall be issued to applicants who qualify based solely upon
27 income derived from operation of or employment by a party or charter
28 boat. For the income evaluation of this subdivision, the department may
29 consider persons who would otherwise be eligible but for having served
30 in the United States armed forces on active duty, provided that such
31 individual (1) has received an honorable or general discharge, or (2)
32 has a qualifying condition, as defined in section three hundred fifty of
33 the executive law, and has received a discharge other than bad conduct
34 or dishonorable from such service, or (3) is a discharged LGBT veteran,
35 as defined in section three hundred fifty of the executive law, and has
36 received a discharge other than bad conduct or dishonorable from such
37 service, shall not be deemed ineligible.

38 § 36. Subdivision 1 of section 130 of the executive law, as amended by
39 section 1 of subpart D of part II of chapter 55 of the laws of 2019, is
40 amended to read as follows:

41 1. The secretary of state may appoint and commission as many notaries
42 public for the state of New York as in his or her judgment may be deemed
43 best, whose jurisdiction shall be co-extensive with the boundaries of
44 the state. The appointment of a notary public shall be for a term of
45 four years. An application for an appointment as notary public shall be
46 in form and set forth such matters as the secretary of state shall
47 prescribe. Every person appointed as notary public must, at the time of
48 his or her appointment, be a citizen of the United States and either a
49 resident of the state of New York or have an office or place of business
50 in New York state. A notary public who is a resident of the state and
51 who moves out of the state but still maintains a place of business or an
52 office in New York state does not vacate his or her office as a notary
53 public. A notary public who is a nonresident and who ceases to have an
54 office or place of business in this state, vacates his or her office as
55 a notary public. A notary public who is a resident of New York state and
56 moves out of the state and who does not retain an office or place of

1 business in this state shall vacate his or her office as a notary
2 public. A non-resident who accepts the office of notary public in this
3 state thereby appoints the secretary of state as the person upon whom
4 process can be served on his or her behalf. Before issuing to any appli-
5 cant a commission as notary public, unless he or she be an attorney and
6 counsellor at law duly admitted to practice in this state or a court
7 clerk of the unified court system who has been appointed to such posi-
8 tion after taking a civil service promotional examination in the court
9 clerk series of titles, the secretary of state shall satisfy himself or
10 herself that the applicant is of good moral character, has the equiv-
11 alent of a common school education and is familiar with the duties and
12 responsibilities of a notary public; provided, however, that where a
13 notary public applies, before the expiration of his or her term, for
14 reappointment with the county clerk or where a person whose term as
15 notary public shall have expired applies within six months thereafter
16 for reappointment as a notary public with the county clerk, such quali-
17 fying requirements may be waived by the secretary of state, and further,
18 where an application for reappointment is filed with the county clerk
19 after the expiration of the aforementioned renewal period by a person
20 who failed or was unable to re-apply by reason of his or her induction
21 or enlistment in the armed forces of the United States, such qualifying
22 requirements may also be waived by the secretary of state, provided such
23 application for reappointment is made within a period of one year after
24 the military discharge of the applicant under conditions other than
25 dishonorable, or if the applicant has a qualifying condition, as defined
26 in section three hundred fifty of this chapter, within a period of one
27 year after the applicant has received a discharge other than bad conduct
28 or dishonorable from such service, or if the applicant is a discharged
29 LGBT veteran, as defined in section three hundred fifty of this chapter,
30 within a period of one year after the applicant has received a discharge
31 other than bad conduct or dishonorable from such service. In any case,
32 the appointment or reappointment of any applicant is in the discretion
33 of the secretary of state. The secretary of state may suspend or remove
34 from office, for misconduct, any notary public appointed by him or her
35 but no such removal shall be made unless the person who is sought to be
36 removed shall have been served with a copy of the charges against him or
37 her and have an opportunity of being heard. No person shall be appointed
38 as a notary public under this article who has been convicted, in this
39 state or any other state or territory, of a crime, unless the secretary
40 makes a finding in conformance with all applicable statutory require-
41 ments, including those contained in article twenty-three-A of the
42 correction law, that such convictions do not constitute a bar to
43 appointment.

44 § 37. Subdivisions 1, 2, and 3 of section 32 of the general business
45 law, subdivisions 1 and 3 as amended by chapter 650 of the laws of 1976
46 and subdivision 2 as amended by chapter 321 of the laws of 1955, are
47 amended to read as follows:

48 1. Every [~~honorably discharged~~] member of the armed forces of the
49 United States[~~7~~] who (a) was honorably discharged from such service, or
50 (b) has a qualifying condition, as defined in section three hundred
51 fifty of the executive law, and has received a discharge other than bad
52 conduct or dishonorable from such service, or (c) is a discharged LGBT
53 veteran, as defined in section three hundred fifty of the executive law,
54 and has received a discharge other than bad conduct or dishonorable from
55 such service, and who is a resident of this state and a veteran of any
56 war, or who shall have served in the armed forces of the United States

1 overseas, and the surviving spouse of any such veteran, if a resident of
2 the state, shall have the right to hawk, peddle, vend and sell goods,
3 wares or merchandise or solicit trade upon the streets and highways
4 within the county of his or her residence, as the case may be, or if
5 such county is embraced wholly by a city, within such city, by procuring
6 a license for that purpose to be issued as herein provided. No part of
7 the lands or premises under the jurisdiction of the division of the
8 state fair in the department of agriculture and markets, shall be deemed
9 a street or highway within the meaning of this section.

10 2. Any such former member of the armed forces of the United States may
11 present to the clerk of any county in which he has resided for a period
12 of at least six months, his original certificate of [~~honorable~~] release
13 or discharge from active duty, or a copy thereof duly certified by the
14 recording officer or a certificate in lieu of lost discharge issued by a
15 department of the armed forces of the United States which shall show
16 that the person presenting it is a veteran of any war, or that he has
17 served overseas in the armed forces of the United States. He shall also
18 fill out a blank which shall when filled out state his name, residence
19 at the time of application, nature of goods to be sold, and if the
20 applicant is working on commission or percentage for any person, firm or
21 corporation, the name and business address of such person, firm or
22 corporation. This statement shall be signed by the applicant in the
23 presence of the county clerk, or a deputy designated by him, and the
24 name on this application and on the original certificate of [~~honorable~~]
25 release or discharge from active duty shall be compared by the county
26 clerk to ascertain if the person so applying is the same person named in
27 the original certificate of [~~honorable~~] release or discharge from active
28 duty. Such county clerk when so satisfied shall issue, without cost, to
29 such former member of the armed forces of the United States, a license
30 certifying him to be entitled to the benefits of this section.

31 3. A copy of this statement shall be attached to the license granted
32 by the county clerk and shall remain attached thereto. On presentation
33 to such clerk of the affidavit of such surviving spouse and two other
34 residents of the county, that he or she is such surviving spouse, accom-
35 panied by such original certificate of [~~honorable~~] release or discharge
36 from active duty of his or her deceased spouse, and the filing of the
37 statement hereinabove required, such county clerk shall issue, without
38 cost to the surviving spouse, a license certifying the surviving spouse
39 to be entitled to the benefits of this section.

40 § 38. Section 35 of the general business law, as amended by chapter
41 550 of the laws of 1978, is amended to read as follows:

42 § 35. Municipal regulations. This article shall not affect the appli-
43 cation of any ordinance, by-law or regulation of a municipal corporation
44 relating to hawkers and peddlers within the limits of such corporations,
45 but the provisions of this article are to be complied with in addition
46 to the requirements of any such ordinance, by-law or regulation;
47 provided, however, that no such by-law, ordinance or regulation shall
48 prevent or in any manner interfere with the hawking or peddling, without
49 the use of any but a hand driven vehicle, in any street, avenue, alley,
50 lane or park of a municipal corporation, by any honorably discharged
51 member of the armed forces of the United States who (1) was honorably
52 discharged from such service, or (2) has a qualifying condition, as
53 defined in section three hundred fifty of the executive law, and has
54 received a discharge other than bad conduct or dishonorable from such
55 service, or (3) is a discharged LGBT veteran, as defined in section
56 three hundred fifty of the executive law, and has received a discharge

1 other than bad conduct or dishonorable from such service, and who is
2 physically disabled as a result of injuries received while in the
3 service of said armed forces and the holder of a license granted pursu-
4 ant to section thirty-two of this article.

5 § 39. Paragraph (a) of subdivision 1 of section 35-a of the general
6 business law, as added by chapter 227 of the laws of 1998, is amended to
7 read as follows:

8 (a) In cities having a population of one million or more, the official
9 designated by a local law or ordinance to issue a local license to hawk,
10 peddle, vend and sell goods, wares or merchandise or solicit trade upon
11 the streets and highways within such city shall issue specialized vend-
12 ing licenses to [~~honorably discharged~~] members of the armed forces of
13 the United States who (i) were honorably discharged from such service,
14 or (ii) have a qualifying condition, as defined in section three hundred
15 fifty of the executive law, and received a discharge other than bad
16 conduct or dishonorable from such service, or (iii) are a discharged
17 LGBT veteran, as defined in section three hundred fifty of the executive
18 law, and received a discharge other than bad conduct or dishonorable
19 from such service, and who are physically disabled as a result of inju-
20 ries received while in the service of said armed forces and who are
21 eligible to hold licenses granted pursuant to section thirty-two of this
22 article. Such specialized vending licenses shall authorize holders ther-
23 eof to hawk or peddle within such city in accordance with the provisions
24 contained in this section. Specialized vending licenses issued under
25 this section shall permit the holders thereof to vend on any block face,
26 and no licensee authorized under this section shall be restricted in any
27 way from vending in any area, except as provided in this section.

28 § 40. Paragraph (b) of subdivision 3 of section 69-p of the general
29 business law, as amended by chapter 575 of the laws of 1993, is amended
30 to read as follows:

31 (b) In the case of persons who are or were in the military service and
32 (i) have been or will be discharged under conditions other than
33 dishonorable, or (ii) have a qualifying condition, as defined in section
34 three hundred fifty of the executive law, and received a discharge other
35 than bad conduct or dishonorable from such service, or (iii) are
36 discharged LGBT veterans, as defined in section three hundred fifty of
37 the executive law, and have received a discharge other than bad conduct
38 or dishonorable from such service, the period of two years specified in
39 subdivision one of this section need not be continuous. The length of
40 time such person was engaged in the business of installing, servicing or
41 maintaining security or fire alarm systems before entering the military
42 service may be added to any period of time during which such person was
43 or is engaged in the business of installing, servicing or maintaining
44 security or fire alarm systems after the termination of military
45 service.

46 § 41. The closing paragraph of section 435 of the general business
47 law, as added by chapter 801 of the laws of 1946, is amended to read as
48 follows:

49 In the case of persons who are or were in the military service and (a)
50 have been or will be discharged under conditions other than dishonor-
51 able, or (b) have a qualifying condition, as defined in section three
52 hundred fifty of the executive law, and received a discharge other than
53 bad conduct or dishonorable from such service, or (c) are discharged
54 LGBT veterans, as defined in section three hundred fifty of the execu-
55 tive law, and have received a discharge other than bad conduct or
56 dishonorable from such service, the period of one year specified in

subdivision one of this section and the period of six months specified in subdivision two of this section need not be continuous. The length of time such person was engaged in the practice of barbering before entering the military service may be added to any period of time during which such person was or is engaged in the practice of barbering after the termination of military service.

§ 42. Subdivision 1 of section 77 of the general municipal law, as amended by chapter 476 of the laws of 2018, is amended to read as follows:

1. A municipal corporation may lease, for not exceeding five years, to a post or posts of the Grand Army of the Republic, Veterans of Foreign Wars of the United States, American Legion, Catholic War Veterans, Inc., Disabled American Veterans, the Army and Navy Union, U.S.A., Marine Corps League, AMVETS, American Veterans of World War II, Jewish War Veterans of the United States, Inc., Italian American War Veterans of the United States, Incorporated, Masonic War Veterans of the State of New York, Inc., Veterans of World War I of the United States of America Department of New York, Inc., Polish-American Veterans of World War II, Amsterdam, N.Y., Inc., Polish-American Veterans of World War II, Schenectady, N.Y., Inc., Polish Legion of American Veterans, Inc., Vietnam Veterans of America or other veteran organization of ~~[honorably discharged]~~ members of the armed forces of the United States who (a) were honorably discharged from such service or (b) have a qualifying condition, as defined in section three hundred fifty of the executive law, and received a discharge other than bad conduct or dishonorable from such service, or (c) are discharged LGBT veterans, as defined in section three hundred fifty of the executive law, and received a discharge other than bad conduct or dishonorable from such service, or to an incorporated organization or an association of either active or exempt volunteer firefighters, a public building or part thereof, belonging to such municipal corporation, except schoolhouses in actual use as such, without expense, or at a nominal rent, fixed by the board or council having charge of such buildings and provide furniture and furnishings, and heat, light and janitor service therefor, in like manner.

§ 43. Section 117-c of the highway law, as added by chapter 387 of the laws of 1998, is amended to read as follows:

§ 117-c. Hawking, peddling, vending, sale of goods, wares or merchandise; Erie county; certain areas. Notwithstanding any law to the contrary, except section thirty-five of the general business law, the county of Erie shall have the power to enact a local law prohibiting hawking, peddling, vending and sale of goods, wares or merchandise or solicitation of trade in the right-of-way of county roads adjacent to arenas, stadiums, auditoriums or like facilities, which contain fifty thousand or more seats, which are used for events likely to attract large numbers of spectators, including but not limited to home games of a National Football League franchise. Provided, however, that the power to enact such local law shall be subject to the requirement that provision be made, by lease agreement, regulation or otherwise, for the hawking, peddling, vending and sales of goods, wares or merchandise or solicitation of trade in designated vending areas on the ground of county-owned lands leased for use as an arena, stadium or auditorium or like facility which contain fifty thousand or more seats; and further provided that ~~[honorably discharged]~~ members of the armed forces of the United States who (a) were honorably discharged from such service, or (b) have a qualifying condition, as defined in section three hundred fifty of the exec-

1 utive law, and received a discharge other than bad conduct or dishonor-
2 able from such service, or (c) are discharged LGBT veterans, as defined
3 in section three hundred fifty of the executive law, and received a
4 discharge other than bad conduct or dishonorable from such service, and
5 who are entitled to hawk, vend, sell or peddle merchandise in the public
6 right-of-way pursuant to sections thirty-two and thirty-five of the
7 general business law, shall be given first preference in any assignment
8 or vending locations or in the allocation of such locations.

9 § 44. Subparagraph (F) of paragraph 3 of subsection (e) of section
10 2104 of the insurance law, as amended by chapter 687 of the laws of
11 2003, is amended to read as follows:

12 (F) served as a member of the armed forces of the United States at any
13 time, and shall (i) have been discharged under conditions other than
14 dishonorable, or (ii) has a qualifying condition, as defined in section
15 three hundred fifty of the executive law, and has received a discharge
16 other than bad conduct or dishonorable from such service, or (iii) is a
17 discharged LGBT veteran, as defined in section three hundred fifty of
18 the executive law, and has received a discharge other than bad conduct
19 or dishonorable from such service, and who within three years prior to
20 his entry into the armed forces held a license as insurance broker for
21 similar lines, provided his application for such license is filed before
22 one year from the date of final discharge; or

23 § 45. Paragraph 2 of subsection (f) of section 2104 of the insurance
24 law is amended to read as follows:

25 (2) No license fee shall be required of any person who served as a
26 member of the armed forces of the United States at any time, and who (A)
27 shall have been discharged, under conditions other than dishonorable, or
28 (B) has a qualifying condition, as defined in section three hundred
29 fifty of the executive law, and has received a discharge other than bad
30 conduct or dishonorable from such service, or (C) is a discharged LGBT
31 veteran, as defined in section three hundred fifty of the executive law,
32 and has received a discharge other than bad conduct or dishonorable from
33 such service, in a current licensing period, for the duration of such
34 period.

35 § 46. Paragraph 11 of subsection (j) of section 2103 of the insurance
36 law, as added by chapter 769 of the laws of 1984, is amended to read as
37 follows:

38 (11) No license fee shall be required of any person who served as a
39 member of the armed forces of the United States at any time and who (A)
40 shall have been discharged therefrom, under conditions other than
41 dishonorable, or (B) has a qualifying condition, as defined in section
42 three hundred fifty of the executive law, and has received a discharge
43 other than bad conduct or dishonorable from such service, or (C) is a
44 discharged LGBT veteran, as defined in section three hundred fifty of
45 the executive law, and has received a discharge other than bad conduct
46 or dishonorable from such service, in a current licensing period, for
47 the duration of such period.

48 § 47. Paragraph 2 of subsection (i) of section 2108 of the insurance
49 law is amended to read as follows:

50 (2) No license fee shall be required of any person who served as a
51 member of the armed forces of the United States at any time and who (A)
52 shall have been discharged, under conditions other than dishonorable, or
53 (B) has a qualifying condition, as defined in section three hundred
54 fifty of the executive law, and has received a discharge other than bad
55 conduct or dishonorable from such service, or (C) is a discharged LGBT
56 veteran, as defined in section three hundred fifty of the executive law,

1 and has received a discharge other than bad conduct or dishonorable from
2 such service, in a current licensing period, for the duration of such
3 period.

4 § 48. Paragraph 10 of subsection (h) of section 2137 of the insurance
5 law, as added by chapter 499 of the laws of 2009, is amended to read as
6 follows:

7 (10) No license fee shall be required of any person who served as a
8 member of the armed forces of the United States at any time and who (A)
9 shall have been discharged therefrom, under conditions other than
10 dishonorable, or (B) has a qualifying condition, as defined in section
11 three hundred fifty of the executive law, and has received a discharge
12 other than bad conduct or dishonorable from such service, or (C) is a
13 discharged LGBT veteran, as defined in section three hundred fifty of
14 the executive law, and has received a discharge other than bad conduct
15 or dishonorable from such service, in a current licensing period, for
16 the duration of such period.

17 § 49. Paragraph 11 of subsection (i) of section 2139 of the insurance
18 law, as added by section 14 of part V of chapter 57 of the laws of 2014,
19 is amended to read as follows:

20 (11) No license fee shall be required of any person who served as a
21 member of the armed forces of the United States at any time, and who (A)
22 shall have been discharged therefrom under conditions other than
23 dishonorable, or (B) has a qualifying condition, as defined in section
24 three hundred fifty of the executive law, and has received a discharge
25 other than bad conduct or dishonorable from such service, or (C) is a
26 discharged LGBT veteran, as defined in section three hundred fifty of
27 the executive law, and has received a discharge other than bad conduct
28 or dishonorable from such service, in a current licensing period for the
29 duration of such period.

30 § 50. Section 466 of the judiciary law, as amended by chapter 455 of
31 the laws of 1960, is amended to read as follows:

32 § 466. Attorney's oath of office. Each person, admitted as prescribed
33 in this chapter must, upon his or her admission, take the constitutional
34 oath of office in open court, and subscribe the same in a roll or book,
35 to be kept in the office of the clerk of the appellate division of the
36 supreme court for that purpose.

37 Any person now in actual service in the armed forces of the United
38 States or whose induction or enlistment therein is imminent, or within
39 sixty days after ~~he~~ such person (1) has been honorably discharged, or
40 (2) has received a discharge other than bad conduct or dishonorable from
41 such service, if such person has a qualifying condition, as defined in
42 section three hundred fifty of the executive law, or (3) has received a
43 discharge other than bad conduct or dishonorable from such service, if
44 such person is a discharged LGBT veteran, as defined in section three
45 hundred fifty of the executive law, if the appellate division of the
46 supreme court in the department in which such person resides is not in
47 session, may subscribe and take the oath before a justice of that court,
48 with the same force and effect as if it were taken in open court, except
49 that in the first department the oath must be taken before the presiding
50 justice or, in his or her absence, before the senior justice.

51 § 51. Subdivision 3 of section 20 of the military law, as added by
52 chapter 825 of the laws of 1950, is amended to read as follows:

53 3. Any person who has served as a commissioned or warrant officer in
54 the organized militia or in the armed forces of the United States and
55 (a) has been honorably discharged therefrom, or (b) has a qualifying
56 condition, as defined in section three hundred fifty of the executive

1 law, and has received a discharge other than bad conduct or dishonorable
2 from such service, or (c) is a discharged LGBT veteran, as defined in
3 section three hundred fifty of the executive law, and has received a
4 discharge other than bad conduct or dishonorable from such service, may
5 be commissioned and placed on the state reserve list in the highest
6 grade previously held by him after complying with such conditions as may
7 be prescribed by regulations issued pursuant to this chapter.

8 § 52. Subdivision 2 of section 238 of the military law, as amended by
9 chapter 302 of the laws of 1967, is amended to read as follows:

10 2. Any person, except members of the armed forces of the United
11 States, members of the organized militia of this or any other state,
12 personnel of the independent military organizations designated in
13 section two hundred forty of this article, members of associations whol-
14 ly composed of persons who (a) were honorably discharged from the armed
15 forces of the United States, or (b) have a qualifying condition, as
16 defined in section three hundred fifty of the executive law, and have
17 received a discharge other than bad conduct or dishonorable from the
18 armed forces of the United States, or (c) are discharged LGBT veterans,
19 as defined in section three hundred fifty of the executive law, and have
20 received a discharge other than bad conduct or dishonorable from the
21 armed forces of the United States, and members of associations wholly
22 composed of sons of veterans of any war of the United States, who shall
23 wear any uniform or any device, strap, knot or insignia of any design or
24 character used as a designation of grade, rank or office, such as are by
25 law or by regulation, duly promulgated, prescribed for the use of the
26 organized militia or similar thereto; or,

27 § 53. Paragraphs (b) and (c) of subdivision 1 of section 243 of the
28 military law, paragraph (b) as amended by chapter 248 of the laws of
29 2001 and paragraph (c) as added by chapter 420 of the laws of 1953, are
30 amended to read as follows:

31 (b) The term "military duty" shall mean military service in the mili-
32 tary, naval, aviation or marine service of the United States subsequent
33 to July first, nineteen hundred forty, or service under the selective
34 training and service act of nineteen hundred forty, or the national
35 guard and reserve officers mobilization act of nineteen hundred forty,
36 or any other act of congress supplementary or amendatory thereto, or any
37 similar act of congress hereafter enacted and irrespective of the fact
38 that such service was entered upon following a voluntary enlistment
39 therefor or was required under one of the foregoing acts of congress, or
40 service with the United States public health service as a commissioned
41 officer, or service with the American Red Cross while with the armed
42 forces of the United States on foreign service, or service with the
43 special services section of the armed forces of the United States on
44 foreign service, or service in the merchant marine which shall consist
45 of service as an officer or member of the crew on or in connection with
46 a vessel documented under the laws of the United States or a vessel
47 owned by, chartered to, or operated by or for the account or use of the
48 government of the United States, or service by one who was employed by
49 the War Shipping Administration or Office of Defense Transportation or
50 their agents as a merchant seaman documented by the United States Coast
51 Guard or Department of Commerce, or as a civil servant employed by the
52 United States Army Transport Service (later redesignated as the United
53 States Army Transportation Corps, Water Division) or the Naval Transpor-
54 tation Service; and who served satisfactorily as a crew member during
55 the period of armed conflict, December seventh, nineteen hundred forty-
56 one, to August fifteenth, nineteen hundred forty-five, aboard merchant

1 vessels in oceangoing, i.e., foreign, intercoastal, or coastwise service
2 as such terms are defined under federal law (46 USCA 10301 & 10501) and
3 further to include "near foreign" voyages between the United States and
4 Canada, Mexico, or the West Indies via ocean routes, or public vessels
5 in oceangoing service or foreign waters and who has received a Certifi-
6 cate of Release or Discharge from Active Duty and a discharge certifi-
7 cate, or an Honorable Service Certificate/Report of Casualty, from the
8 Department of Defense, or who served as a United States civilian
9 employed by the American Field Service and served overseas under United
10 States Armies and United States Army Groups in world war II during the
11 period of armed conflict, December seventh, nineteen hundred forty-one
12 through May eighth, nineteen hundred forty-five, and who (i) was
13 discharged or released therefrom under honorable conditions, or (ii) has
14 a qualifying condition, as defined in section three hundred fifty of the
15 executive law, and has received a discharge other than bad conduct or
16 dishonorable from such service, or (iii) is a discharged LGBT veteran,
17 as defined in section three hundred fifty of the executive law, and has
18 received a discharge other than bad conduct or dishonorable from such
19 service, or who served as a United States civilian Flight Crew and
20 Aviation Ground Support Employee of Pan American World Airways or one of
21 its subsidiaries or its affiliates and served overseas as a result of
22 Pan American's contract with Air Transport Command or Naval Air Trans-
23 port Service during the period of armed conflict, December fourteenth,
24 nineteen hundred forty-one through August fourteenth, nineteen hundred
25 forty-five, and who (iv) was discharged or released therefrom under
26 honorable conditions, or (v) has a qualifying condition, as defined in
27 section three hundred fifty of the executive law, and has received a
28 discharge other than bad conduct or dishonorable from such service, or
29 (vi) is a discharged LGBT veteran, as defined in section three hundred
30 fifty of the executive law, and has received a discharge other than bad
31 conduct or dishonorable from such service; or service in police duty on
32 behalf of the United States government in a foreign country, if such
33 person is a police officer, as defined by section 1.20 of the criminal
34 procedure law, and if such police officer obtained the prior consent of
35 his or her public employer to absent himself or herself from his or her
36 position to engage in the performance of such service; or as an enrollee
37 in the United States maritime service on active duty and, to such extent
38 as may be prescribed by or under the laws of the United States, any
39 period awaiting assignment to such service and any period of education
40 or training for such service in any school or institution under the
41 jurisdiction of the United States government, but shall not include
42 temporary and intermittent gratuitous service in any reserve or auxilia-
43 ry force. It shall include time spent in reporting for and returning
44 from military duty and shall be deemed to commence when the public
45 employee leaves his position and to end when he is reinstated to his
46 position, provided such reinstatement is within ninety days after the
47 termination of military duty, as hereinafter defined. Notwithstanding
48 the foregoing provisions of this paragraph, the term "military duty"
49 shall not include any of the foregoing services entered upon voluntarily
50 on or after January first, nineteen hundred forty-seven and before June
51 twenty-fifth, nineteen hundred fifty; and, on or after July first, nine-
52 teen hundred seventy, the term "military duty" shall not include any
53 voluntary service in excess of four years performed after that date, or
54 the total of any voluntary services, additional or otherwise, in excess
55 of four years performed after that date, shall not exceed five years, if
56 the service in excess of four years is at the request and for the

1 convenience of the federal government, except if such voluntary service
2 is performed during a period of war, or national emergency declared by
3 the president.

4 (c) The term "termination of military duty" shall mean the date of a
5 certificate of honorable discharge or a certificate of completion of
6 training and service as set forth in the selective training and service
7 act of nineteen hundred forty, and the national guard and reserve offi-
8 cers mobilization act of nineteen hundred forty or, or a certificate of
9 release or discharge from active duty where an employee (i) has a quali-
10 fying condition, as defined in section three hundred fifty of the execu-
11 tive law, and has received a discharge other than bad conduct or
12 dishonorable from such service, or (ii) is a discharged LGBT veteran, as
13 defined in section three hundred fifty of the executive law, and has
14 received a discharge other than bad conduct or dishonorable from such
15 service, or in the event of the incurrence of a temporary disability
16 arising out of and in the course of such military duty, the date of
17 termination of such disability. The existence and termination of such
18 temporary disability, in the case of a public employee occupying a posi-
19 tion in the classified civil service or of a person on an eligible list
20 for a position in such service, shall be determined by the civil service
21 commission having jurisdiction over such position and, in the case of a
22 public employee occupying a position not in the classified civil
23 service, shall be determined by the officer or body having the power of
24 appointment.

25 § 54. Subparagraphs 1 and 2 of paragraph (a) of subdivision 4-b of
26 section 243 of the military law, subparagraph 1 as amended by chapter
27 739 of the laws of 1987 and subparagraph 2 as amended by chapter 467 of
28 the laws of 1991, are amended to read as follows:

29 (1) "New York city veteran of world war II". Any member of the New
30 York city employees' retirement system in city-service who, after his
31 last membership in such system began, served as a member of the armed
32 forces of the United States during the period beginning on December
33 seventh, nineteen hundred forty-one and ending on December thirty-first,
34 nineteen hundred forty-six, and (i) was honorably discharged or released
35 under honorable circumstances from such service, or (ii) has a qualify-
36 ing condition, as defined in section three hundred fifty of the execu-
37 tive law, and has received a discharge other than bad conduct or
38 dishonorable from such service, or (iii) is a discharged LGBT veteran,
39 as defined in section three hundred fifty of the executive law, and has
40 received a discharge other than bad conduct or dishonorable from such
41 service.

42 (2) "New York city veteran of the Korean conflict." Any member of the
43 New York city employees' retirement system in city-service who, after
44 his last membership in such system began, served as a member of the
45 armed forces of the United States during the period beginning on the
46 twenty-seventh of June, nineteen hundred fifty and ending on the thir-
47 ty-first day of January, nineteen hundred fifty-five, and (i) was honor-
48 ably discharged or released under honorable circumstances from such
49 service, or (ii) has a qualifying condition, as defined in section three
50 hundred fifty of the executive law, and has received a discharge other
51 than bad conduct or dishonorable from such service, or (iii) is a
52 discharged LGBT veteran, as defined in section three hundred fifty of
53 the executive law, and has received a discharge other than bad conduct
54 or dishonorable from such service.

55 § 55. Section 245 of the military law, as amended by chapter 713 of
56 the laws of 1964, is amended to read as follows:

§ 245. Retirement allowances of certain war veterans. Any member of a teachers' retirement system to which the city of New York is required by law to make contributions on account of such member who (i) is an honorably discharged member of any branch of the armed forces of the United States, or (ii) has a qualifying condition, as defined in section three hundred fifty of the executive law, and has received a discharge other than bad conduct or dishonorable, or (iii) is a discharged LGBT veteran, as defined in section three hundred fifty of the executive law, and has received a discharge other than bad conduct or dishonorable, having served as such during the time of war and who has attained the age of fifty years, may retire upon his own request upon written application to the board setting forth at what time not less than thirty days subsequent to the execution and filing thereof he desires to be retired, provided that such member at the time so specified for his retirement shall have completed at least twenty-five years of allowable service. Upon retirement such member shall receive an annuity of equivalent actuarial value to his accumulated deductions, and, in addition, a pension beginning immediately, having a value equal to the present value of the pension that would have become payable had he continued at his current salary to the age at which he would have first become eligible for service retirement, provided, however, that the said member on making application for retirement shall pay into the retirement fund a sum of money which calculated on an actuarial basis, together with his prior contributions and other accumulations in said fund then to his credit, shall be sufficient to entitle the said member to the same annuity and pension that he would have received had he remained in the service of the city until he had attained the age at which he otherwise would have first become eligible for service retirement.

Notwithstanding any other provision of this section or of any general, special or local law or code to the contrary, a member of any such teachers' retirement system who (i) is separated or discharged under honorable conditions from any branch of the armed forces of the United States, or (ii) has a qualifying condition, as defined in section three hundred fifty of the executive law, and has received a discharge other than bad conduct or dishonorable, or (iii) is a discharged LGBT veteran, as defined in section three hundred fifty of the executive law, and has received a discharge other than bad conduct or dishonorable, having served as such during the time of war and who has attained the age of fifty years, may retire upon his own request upon written application to the board setting forth at what time, not less than thirty days subsequent to the execution and filing thereof, he desires to be retired, provided that such member at that time so specified for his retirement shall have completed at least twenty-five years of allowable service. Upon reaching his previously selected minimum retirement age, such member shall receive an annuity of equivalent actuarial value, at that time, to his accumulated deductions, and, in addition, a pension based upon his credited years of allowable service, plus the pension-for-increased-take-home-pay, if any. Should such member die before reaching his retirement age, then any beneficiary under a selected option shall be eligible for benefits under such option at the date upon which the member would have reached his selected retirement age.

§ 56. Section 249 of the military law, as added by chapter 420 of the laws of 1953, is amended to read as follows:

§ 249. State and municipal officers and employees granted leaves of absence on July fourth in certain cases. Each officer and employee of the state or of a municipal corporation or of any other political subdi-

vision thereof who was a member of the national guard or naval militia or a member of the reserve corps at a time when the United States was not at war and who (i) has been honorably discharged therefrom, or (ii) has a qualifying condition, as defined in section three hundred fifty of the executive law, and has received a discharge other than bad conduct or dishonorable from such service, or (iii) is a discharged LGBT veteran, as defined in section three hundred fifty of the executive law, and has received a discharge other than bad conduct or dishonorable from such service, shall, in so far as practicable, be entitled to absent himself from his duties or service, with pay, on July fourth of each year. Notwithstanding the provisions of any general, special or local law or the provisions of any city charter, no such officer or employee shall be subjected by any person whatever directly or indirectly by reason of such absence to any loss or diminution of vacation or holiday privilege or be prejudiced by reason of such absence with reference to promotion or continuance in office or employment or to reappointment to office or to re-employment.

§ 57. Subdivision 3 of section 1271 of the private housing finance law, as added by section 1 of part Y of chapter 56 of the laws of 2018, is amended to read as follows:

3. "Veteran" shall mean a resident of this state who (a) has served in the United States army, navy, marine corps, air force or coast guard or (b) has served on active duty or ordered to active duty as defined in 10 USC 101 (d)(1) as a member of the national guard or other reserve component of the armed forces of the United States or (c) has served on active duty or ordered to active duty for the state, as a member of the state organized militia as defined in subdivision nine of section one of the military law, and has been released from such service documented by an honorable or general discharge, or has a qualifying condition, as defined in section three hundred fifty of the executive law, and has received a discharge other than bad conduct or dishonorable from such service, or is a discharged LGBT veteran, as defined in section three hundred fifty of the executive law, and has received a discharge other than bad conduct or dishonorable from such service.

§ 58. Subdivision 8-a of section 2165 of the public health law, as added by chapter 542 of the laws of 1998, is amended to read as follows:

8-a. Proof of ~~honorable~~ discharge from the armed services within ten years from the date of application to an institution shall qualify as a certificate enabling a student to attend the institution pending actual receipt of immunization records from the armed services. If while awaiting the receipt of actual immunization records a health risk shall arise at an institution, a student presenting a certificate under the terms of this subdivision shall be removed from the institution if proper immunization cannot be proved or otherwise rectified.

§ 59. The opening paragraph and paragraph (d) of subdivision 1 of section 2632 of the public health law, as amended by chapter 414 of the laws of 2015, are amended to read as follows:

Every veteran of the armed forces of the United States, who (i) (A) was separated or discharged under honorable conditions after serving on active duty therein for a period of not less than thirty days, or (B) has a qualifying condition, as defined in section three hundred fifty of the executive law, and has received a discharge other than bad conduct or dishonorable after serving on active duty therein for a period of not less than thirty days, or (C) is a discharged LGBT veteran, as defined in section three hundred fifty of the executive law, and has received a discharge other than bad conduct or dishonorable after serving on active

1 duty therein for a period of not less than thirty days, or (ii) (A) was
2 separated or discharged under honorable conditions after serving on
3 active duty therein for a period of not less than thirty days or (B) has
4 a qualifying condition, as defined in section three hundred fifty of the
5 executive law, and has received a discharge other than bad conduct or
6 dishonorable after serving on active duty therein for a period of not
7 less than thirty days, or (C) is a discharged LGBT veteran, as defined
8 in section three hundred fifty of the executive law, and has received a
9 discharge other than bad conduct or dishonorable after serving on active
10 duty therein for a period of not less than thirty days, and who was a
11 recipient of the armed forces expeditionary medal, navy expeditionary
12 medal or marine corps expeditionary medal for participation in oper-
13 ations in Lebanon from June first, nineteen hundred eighty-three to
14 December first, nineteen hundred eighty-seven, in Grenada from October
15 twenty-third, nineteen hundred eighty-three to November twenty-first,
16 nineteen hundred eighty-three, or in Panama from December twentieth,
17 nineteen hundred eighty-nine to January thirty-first, nineteen hundred
18 ninety, or in Bosnia and Herzegovina from November twenty-first, nine-
19 teen hundred ninety-five to November first, two thousand seven, or was a
20 recipient of the Kosovo campaign medal or (iii) (A) was separated or
21 discharged under honorable conditions after serving on active duty ther-
22 ein for a period of not less than thirty days or (B) has a qualifying
23 condition, as defined in section three hundred fifty of the executive
24 law, and has received a discharge other than bad conduct or dishonorable
25 after serving on active duty therein for a period of not less than thir-
26 ty days, or (C) is a discharged LGBT veteran, as defined in section
27 three hundred fifty of the executive law, and has received a discharge
28 other than bad conduct or dishonorable after serving on active duty
29 therein for a period of not less than thirty days, and who served during
30 the period of actual hostilities of either

31 (d) world war II between December seventh, nineteen hundred forty-one
32 and December thirty-first, nineteen hundred forty-six, both inclusive,
33 or who was employed by the War Shipping Administration or Office of
34 Defense Transportation or their agents as a merchant seaman documented
35 by the United States Coast Guard or Department of Commerce, or as a
36 civil servant employed by the United States Army Transport Service
37 (later redesignated as the United States Army Transportation Corps,
38 Water Division) or the Naval Transportation Service; and who served
39 satisfactorily as a crew member during the period of armed conflict,
40 December seventh, nineteen hundred forty-one, to August fifteenth, nine-
41 teen hundred forty-five, aboard merchant vessels in oceangoing, i.e.,
42 foreign, intercoastal, or coastwise service as such terms are defined
43 under federal law (46 USCA 10301 & 10501) and further to include "near
44 foreign" voyages between the United States and Canada, Mexico, or the
45 West Indies via ocean routes, or public vessels in oceangoing service or
46 foreign waters and who has received a Certificate of Release or
47 Discharge from Active Duty and a discharge certificate, or an Honorable
48 Service Certificate/Report of Casualty, from the Department of Defense,
49 or who served as a United States civilian employed by the American Field
50 Service and served overseas under United States Armies and United States
51 Army Groups in world war II during the period of armed conflict, Decem-
52 ber seventh, nineteen hundred forty-one through May eighth, nineteen
53 hundred forty-five, and who (i) was discharged or released therefrom
54 under honorable conditions, or (ii) has a qualifying condition, as
55 defined in section three hundred fifty of the executive law, and has
56 received a discharge other than bad conduct or dishonorable from such

1 service, or (iii) is a discharged LGBT veteran, as defined in section
2 three hundred fifty of the executive law, and has received a discharge
3 other than bad conduct or dishonorable from such service, or who served
4 as a United States civilian Flight Crew and Aviation Ground Support
5 Employee of Pan American World Airways or one of its subsidiaries or its
6 affiliates and served overseas as a result of Pan American's contract
7 with Air Transport Command or Naval Air Transport Service during the
8 period of armed conflict, December fourteenth, nineteen hundred forty-
9 one through August fourteenth, nineteen hundred forty-five, and who (iv)
10 was discharged or released therefrom under honorable conditions, or (v)
11 has a qualifying condition, as defined in section three hundred fifty of
12 the executive law, and has received a discharge other than bad conduct
13 or dishonorable from such service, or (vi) is a discharged LGBT veteran,
14 as defined in section three hundred fifty of the executive law, and has
15 received a discharge other than bad conduct or dishonorable from such
16 service; or

17 § 60. Subdivision 3 of section 3422 of the public health law, as added
18 by chapter 854 of the laws of 1971, is amended to read as follows:

19 3. A candidate who fails to attain a passing grade on his licensing
20 examination is entitled to a maximum of three re-examinations; provided,
21 however, that if such candidate fails to attain a passing grade within
22 three years after completion of his training, he must requalify in
23 accordance with the provisions of the public health law and rules and
24 regulations promulgated thereunder existing and in force as of the date
25 of subsequent application for licensing examination, except that a
26 satisfactorily completed required course of study need not be recom-
27 pleted. A candidate inducted into the armed forces of the United States
28 during or after completion of training may (a) after honorable discharge
29 or (b) after a discharge other than bad conduct or dishonorable where
30 the candidate (i) has a qualifying condition, as defined in section
31 three hundred fifty of the executive law, or (ii) is a discharged LGBT
32 veteran, as defined in section three hundred fifty of the executive law,
33 and upon proper application as required by the department be eligible
34 for an exemption with respect to time served in such service.

35 § 61. Subparagraph 2 of paragraph b of subdivision 1 of section 156 of
36 the public housing law, as amended by chapter 639 of the laws of 1968,
37 is amended to read as follows:

38 (2) (i) have been thereafter discharged or released therefrom under
39 conditions other than dishonorable, or (ii) have a qualifying condition,
40 as defined in section three hundred fifty of the executive law, and have
41 received a discharge other than bad conduct or dishonorable from such
42 service, or (iii) are discharged LGBT veterans, as defined in section
43 three hundred fifty of the executive law, and have received a discharge
44 other than bad conduct or dishonorable from such service, or (iv) died
45 in such service, not more than five years prior to the time of applica-
46 tion for admission to such project, and

47 § 62. Section 63 of the public officers law, as amended by chapter 179
48 of the laws of 2006, is amended to read as follows:

49 § 63. Leave of absence for veterans on Memorial day and Veterans' day.
50 It shall be the duty of the head of every public department and of every
51 court of the state of New York, of every superintendent or foreman on
52 the public works of said state, of the county officers of the several
53 counties of said state, of the town officers of the various towns in
54 this state, of the fire district officers of the various fire districts
55 in this state, and of the head of every department, bureau and office in
56 the government of the various cities and villages in this state, and the

1 officers of any public benefit corporation or any public authority of
2 this state, or of any public benefit corporation or public authority of
3 any county or subdivision of this state, to give leave of absence with
4 pay for twenty-four hours on the day prescribed by law as a public holi-
5 day for the observance of Memorial day and on the eleventh day of Novem-
6 ber, known as Veterans' day, to every person in the service of the
7 state, the county, the town, the fire district, the city or village, the
8 public benefit corporation or public authority of this state, or any
9 public benefit corporation or public authority of any county or subdivi-
10 sion of this state, as the case may be, (i) who served on active duty in
11 the armed forces of the United States during world war I or world war
12 II, or who was employed by the War Shipping Administration or Office of
13 Defense Transportation or their agents as a merchant seaman documented
14 by the United States Coast Guard or Department of Commerce, or as a
15 civil servant employed by the United States Army Transport Service
16 (later redesignated as the United States Army Transportation Corps,
17 Water Division) or the Naval Transportation Service; and who served
18 satisfactorily as a crew member during the period of armed conflict,
19 December seventh, nineteen hundred forty-one, to August fifteenth, nine-
20 teen hundred forty-five, aboard merchant vessels in oceangoing, i.e.,
21 foreign, intercoastal, or coastwise service as such terms are defined
22 under federal law (46 USCA 10301 & 10501) and further to include "near
23 foreign" voyages between the United States and Canada, Mexico, or the
24 West Indies via ocean routes, or public vessels in oceangoing service or
25 foreign waters and who has received a Certificate of Release or
26 Discharge from Active Duty and a discharge certificate, or an Honorable
27 Service Certificate/Report of Casualty, from the Department of Defense,
28 or who served as a United States civilian employed by the American Field
29 Service and served overseas under United States Armies and United States
30 Army Groups in world war II during the period of armed conflict, Decem-
31 ber seventh, nineteen hundred forty-one through May eighth, nineteen
32 hundred forty-five, and who (a) was discharged or released therefrom
33 under honorable conditions, or (b) has a qualifying condition, as
34 defined in section three hundred fifty of the executive law, and has
35 received a discharge other than bad conduct or dishonorable from such
36 service, or (c) is a discharged LGBT veteran, as defined in section
37 three hundred fifty of the executive law, and has received a discharge
38 other than bad conduct or dishonorable from such service or who served
39 as a United States civilian Flight Crew and Aviation Ground Support
40 Employee of Pan American World Airways or one of its subsidiaries or its
41 affiliates and served overseas as a result of Pan American's contract
42 with Air Transport Command or Naval Air Transport Service during the
43 period of armed conflict, December fourteenth, nineteen hundred forty-
44 one through August fourteenth, nineteen hundred forty-five, and who (d)
45 was discharged or released therefrom under honorable conditions, or (e)
46 has a qualifying condition, as defined in section three hundred fifty of
47 the executive law, and has received a discharge other than bad conduct
48 or dishonorable from such service, or (f) is a discharged LGBT veteran,
49 as defined in section three hundred fifty of the executive law, and has
50 received a discharge other than bad conduct or dishonorable from such
51 service or during the period of the Korean conflict at any time between
52 the dates of June twenty-seventh, nineteen hundred fifty and January
53 thirty-first, nineteen hundred fifty-five, or during the period of the
54 Vietnam conflict from the twenty-eighth day of February, nineteen
55 hundred sixty-one to the seventh day of May, nineteen hundred seventy-
56 five, or (ii) who served on active duty in the armed forces of the

1 United States and who was a recipient of the armed forces expeditionary
2 medal, navy expeditionary medal or marine corps expeditionary medal for
3 participation in operations in Lebanon from June first, nineteen hundred
4 eighty-three to December first, nineteen hundred eighty-seven, in Grena-
5 da from October twenty-third, nineteen hundred eighty-three to November
6 twenty-first, nineteen hundred eighty-three, or in Panama from December
7 twentieth, nineteen hundred eighty-nine to January thirty-first, nine-
8 teen hundred ninety, or (iii) who served in the armed forces of a
9 foreign country allied with the United States during world war I or
10 world war II, or during the period of the Korean conflict at any time
11 between June twenty-seventh, nineteen hundred fifty and January thirty-
12 first, nineteen hundred fifty-five, or during the period of the Vietnam
13 conflict from the twenty-eighth day of February, nineteen hundred
14 sixty-one to the seventh day of May, nineteen hundred seventy-five, or
15 during the period of the Persian Gulf conflict from the second day of
16 August, nineteen hundred ninety to the end of such conflict, or who
17 served on active duty in the army or navy or marine corps or air force
18 or coast guard of the United States, and who (a) was honorably
19 discharged or separated from such service under honorable conditions, or
20 (b) has a qualifying condition, as defined in section three hundred
21 fifty of the executive law, and has received a discharge other than bad
22 conduct or dishonorable from such service, or (c) is a discharged LGBT
23 veteran, as defined in section three hundred fifty of the executive law,
24 and has received a discharge other than bad conduct or dishonorable from
25 such service except where such action would endanger the public safety
26 or the safety or health of persons cared for by the state, in which
27 event such persons shall be entitled to leave of absence with pay on
28 another day in lieu thereof. All such persons who are compensated on a
29 per diem, hourly, semi-monthly or monthly basis, with or without mainte-
30 nance, shall also be entitled to leave of absence with pay under the
31 provisions of this section and no deduction in vacation allowance or
32 budgetary allowable number of working days shall be made in lieu there-
33 of. A refusal to give such leave of absence to one entitled thereto
34 shall be neglect of duty.

35 § 63. Subdivision 2 of section 458 of the real property tax law, as
36 amended by chapter 63 of the laws of 1976, is amended to read as
37 follows:

38 2. Real property purchased with moneys collected by popular
39 subscription in partial recognition of extraordinary services rendered
40 by any [~~honorably discharged~~] veteran of world war one, world war two,
41 or of the hostilities which commenced June twenty-seventh, nineteen
42 hundred fifty, who (a) was honorably discharged from such service, or
43 (b) has a qualifying condition, as defined in section three hundred
44 fifty of the executive law, and has received a discharge other than bad
45 conduct or dishonorable from such service, or (c) is a discharged LGBT
46 veteran, as defined in section three hundred fifty of the executive law,
47 and has received a discharge other than bad conduct or dishonorable from
48 such service, and who sustained permanent disability while on military
49 duty, either total or partial, and owned by the person who sustained
50 such injuries, or by his or her spouse or unremarried surviving spouse,
51 or dependent father or mother, is subject to taxation as herein
52 provided. Such property shall be assessed in the same manner as other
53 real property in the tax district. At the meeting of the assessors to
54 hear complaints concerning the assessments, a verified application for
55 the exemption of such real property from taxation may be presented to
56 them by or on behalf of the owner thereof, which application must show

1 the facts on which the exemption is claimed, including the amount of
2 moneys so raised and used in or toward the purchase of such property. No
3 exemption on account of any such gift shall be allowed in excess of five
4 thousand dollars. The application for exemption shall be presented and
5 action thereon taken in the manner provided by subdivision one of this
6 section. If no application for exemption be granted, the property shall
7 be subject to taxation for all purposes. The provisions herein, relating
8 to the assessment and exemption of property purchased with moneys raised
9 by popular subscription, apply and shall be enforced in each municipal
10 corporation authorized to levy taxes.

11 § 64. Subdivision 4-a of section 458 of the real property tax law, as
12 amended by chapter 616 of the laws of 1995, is amended to read as
13 follows:

14 4-a. For the purposes of this section, the term "military or naval
15 services" shall be deemed to also include service: (a) by a person who
16 was employed by the War Shipping Administration or Office of Defense
17 Transportation or their agents as a merchant seaman documented by the
18 United States Coast Guard or Department of Commerce, or as a civil serv-
19 ant employed by the United States Army Transport Service (later redesign-
20 dated as the United States Army Transportation Corps, Water Division) or
21 the Naval Transportation Service; and who served satisfactorily as a
22 crew member during the period of armed conflict, December seventh, nine-
23 teen hundred forty-one, to August fifteenth, nineteen hundred forty-
24 five, aboard merchant vessels in oceangoing, i.e., foreign, inter-
25 coastal, or coastwise service as such terms are defined under federal
26 law (46 USCA 10301 & 10501) and further to include "near foreign"
27 voyages between the United States and Canada, Mexico, or the West Indies
28 via ocean routes, or public vessels in oceangoing service or foreign
29 waters and who has received a Certificate of Release or Discharge from
30 Active Duty and a discharge certificate, or an Honorable Service
31 Certificate/Report of Casualty, from the department of defense; (b)
32 service by a United States civilian employed by the American Field
33 Service who served overseas under United States Armies and United States
34 Army Groups in world war II during the period of armed conflict, Decem-
35 ber seventh, nineteen hundred forty-one through May eighth, nineteen
36 hundred forty-five, and who (i) was discharged or released therefrom
37 under honorable conditions, or (ii) has a qualifying condition, as
38 defined in section three hundred fifty of the executive law, and has
39 received a discharge other than bad conduct or dishonorable from such
40 service, or (iii) is a discharged LGBT veteran, as defined in section
41 three hundred fifty of the executive law, and has received a discharge
42 other than bad conduct or dishonorable from such service; or (c) service
43 by a United States civilian Flight Crew and Aviation Ground Support
44 Employee of Pan American World Airways or one of its subsidiaries or its
45 affiliates who served overseas as a result of Pan American's contract
46 with Air Transport Command or Naval Air Transport Service during the
47 period of armed conflict, December fourteenth, nineteen hundred forty-
48 one through August fourteenth, nineteen hundred forty-five, and who (i)
49 was discharged or released therefrom under honorable conditions, or (ii)
50 has a qualifying condition, as defined in section three hundred fifty of
51 the executive law, and has received a discharge other than bad conduct
52 or dishonorable from such service, or (iii) is a discharged LGBT veter-
53 an, as defined in section three hundred fifty of the executive law, and
54 has received a discharge other than bad conduct or dishonorable from
55 such service.

§ 65. Paragraph (e) of subdivision 1 of section 458-a of the real property tax law, as amended by chapter 384 of the laws of 2008, is amended to read as follows:

(e) "Veteran" means a person (i) who served in the active military, naval, or air service during a period of war, or who was a recipient of the armed forces expeditionary medal, navy expeditionary medal, marine corps expeditionary medal, or global war on terrorism expeditionary medal, and who (1) was discharged or released therefrom under honorable conditions, or (2) has a qualifying condition, as defined in section three hundred fifty of the executive law, and has received a discharge other than bad conduct or dishonorable from such service, or (3) is a discharged LGBT veteran, as defined in section three hundred fifty of the executive law, and has received a discharge other than bad conduct or dishonorable from such service, (ii) who was employed by the War Shipping Administration or Office of Defense Transportation or their agents as a merchant seaman documented by the United States Coast Guard or Department of Commerce, or as a civil servant employed by the United States Army Transport Service (later redesignated as the United States Army Transportation Corps, Water Division) or the Naval Transportation Service; and who served satisfactorily as a crew member during the period of armed conflict, December seventh, nineteen hundred forty-one, to August fifteenth, nineteen hundred forty-five, aboard merchant vessels in oceangoing, i.e., foreign, intercoastal, or coastwise service as such terms are defined under federal law (46 USCA 10301 & 10501) and further to include "near foreign" voyages between the United States and Canada, Mexico, or the West Indies via ocean routes, or public vessels in oceangoing service or foreign waters and who has received a Certificate of Release or Discharge from Active Duty and a discharge certificate, or an Honorable Service Certificate/Report of Casualty, from the department of defense, (iii) who served as a United States civilian employed by the American Field Service and served overseas under United States Armies and United States Army Groups in world war II during the period of armed conflict, December seventh, nineteen hundred forty-one through May eighth, nineteen hundred forty-five, and who (1) was discharged or released therefrom under honorable conditions, or (2) has a qualifying condition, as defined in section three hundred fifty of the executive law, and has received a discharge other than bad conduct or dishonorable from such service, or (3) is a discharged LGBT veteran, as defined in section three hundred fifty of the executive law, and has received a discharge other than bad conduct or dishonorable from such service, (iv) who served as a United States civilian Flight Crew and Aviation Ground Support Employee of Pan American World Airways or one of its subsidiaries or its affiliates and served overseas as a result of Pan American's contract with Air Transport Command or Naval Air Transport Service during the period of armed conflict, December fourteenth, nineteen hundred forty-one through August fourteenth, nineteen hundred forty-five, and who (1) was discharged or released therefrom under honorable conditions, or (2) has a qualifying condition, as defined in section three hundred fifty of the executive law, and has received a discharge other than bad conduct or dishonorable from such service, or (3) is a discharged LGBT veteran, as defined in section three hundred fifty of the executive law, and has received a discharge other than bad conduct or dishonorable from such service, or (v) notwithstanding any other provision of law to the contrary, who are members of the reserve components of the armed forces of the United States who (1) received an honorable discharge or release therefrom under honorable conditions, or

1 (2) has a qualifying condition, as defined in section three hundred
2 fifty of the executive law, and has received a discharge other than bad
3 conduct or dishonorable from such service, or (3) is a discharged LGBT
4 veteran, as defined in section three hundred fifty of the executive law,
5 and has received a discharge other than bad conduct or dishonorable from
6 such service, but are still members of the reserve components of the
7 armed forces of the United States provided that such members meet all
8 other qualifications under the provisions of this section.

9 § 66. Subdivision 10 of section 458-a of the real property tax law, as
10 amended by chapter 141 of the laws of 2017, is amended to read as
11 follows:

12 10. A county, city, town, village or school district may adopt a local
13 law or resolution to include those military personnel who served in the
14 Reserve component of the United States Armed Forces that were deemed on
15 active duty under Executive Order 11519 signed March twenty-third, nine-
16 teen hundred seventy, 35 Federal Register 5003, dated March twenty-
17 fourth, nineteen hundred seventy and later designated by the United
18 States Department of Defense as Operation Graphic Hand, if such member
19 (1) was discharged or released therefrom under honorable conditions, or
20 (2) has a qualifying condition, as defined in section three hundred
21 fifty of the executive law, and has received a discharge other than bad
22 conduct or dishonorable from such service, or (3) is a discharged LGBT
23 veteran, as defined in section three hundred fifty of the executive law,
24 and has received a discharge other than bad conduct or dishonorable from
25 such service, provided that such veteran meets all other qualifications
26 of this section.

27 § 67. Paragraph (a) of subdivision 1 of section 458-b of the real
28 property tax law, as amended by chapter 6 of the laws of 2008, is
29 amended to read as follows:

30 (a) "Cold War veteran" means a person, male or female, who served on
31 active duty in the United States armed forces, during the time period
32 from September second, nineteen hundred forty-five to December twenty-
33 sixth, nineteen hundred ninety-one, and (i) was discharged or released
34 therefrom under honorable conditions, or (ii) has a qualifying condi-
35 tion, as defined in section three hundred fifty of the executive law,
36 and has received a discharge other than bad conduct or dishonorable from
37 such service, or (iii) is a discharged LGBT veteran, as defined in
38 section three hundred fifty of the executive law, and has received a
39 discharge other than bad conduct or dishonorable from such service.

40 § 68. Subparagraph (v) of paragraph (a) of subdivision 1 of section
41 122 of the social services law, as amended by chapter 214 of the laws of
42 1998, is amended to read as follows:

43 (v) any alien lawfully residing in the state who is on active duty in
44 the armed forces (other than active duty for training) or who (1) has
45 received an honorable discharge (and not on account of alienage) from
46 the armed forces, or (2) has a qualifying condition, as defined in
47 section three hundred fifty of the executive law, and has received a
48 discharge other than bad conduct or dishonorable (and not on account of
49 alienage) from the armed forces, or (3) is a discharged LGBT veteran, as
50 defined in section three hundred fifty of the executive law, and has
51 received a discharge other than bad conduct or dishonorable (and not on
52 account of alienage) from the armed forces, or the spouse, unremarried
53 surviving spouse or unmarried dependent child of any such alien, if such
54 alien, spouse or dependent child is a qualified alien as defined in
55 section 431 of the federal personal responsibility and work opportunity
56 reconciliation act of 1996 (8 U.S. Code 1641), as amended;

§ 69. Subdivision 1 of section 168 of the social services law, as amended by chapter 467 of the laws of 1991, is amended to read as follows:

1. Veteran means a person, male or female, who has served in the armed forces of the United States in time of war, or who was a recipient of the armed forces expeditionary medal, navy expeditionary medal or marine corps expeditionary medal for participation in operations in Lebanon from June first, nineteen hundred eighty-three to December first, nineteen hundred eighty-seven, in Grenada from October twenty-third, nineteen hundred eighty-three to November twenty-first, nineteen hundred eighty-three, or in Panama from December twentieth, nineteen hundred eighty-nine to January thirty-first, nineteen hundred ninety, and who (1) has been honorably discharged or released under honorable circumstances from such service or furloughed to the reserve, or (2) has a qualifying condition, as defined in section three hundred fifty of the executive law, and has received a discharge other than bad conduct or dishonorable from such service, or (3) is a discharged LGBT veteran, as defined in section three hundred fifty of the executive law, and has received a discharge other than bad conduct or dishonorable from such service.

§ 70. Paragraph 5 of subdivision 2 of section 168 of the social services law, as amended by chapter 616 of the laws of 1995, is amended to read as follows:

(5) World war II; from the seventh day of December, nineteen hundred forty-one to and including the thirty-first day of December, nineteen hundred forty-six, or who was employed by the War Shipping Administration or Office of Defense Transportation or their agents as a merchant seaman documented by the United States Coast Guard or Department of Commerce, or as a civil servant employed by the United States Army Transport Service (later redesignated as the United States Army Transportation Corps, Water Division) or the Naval Transportation Service; and who served satisfactorily as a crew member during the period of armed conflict, December seventh, nineteen hundred forty-one, to August fifteenth, nineteen hundred forty-five, aboard merchant vessels in oceangoing, i.e., foreign, intercoastal, or coastwise service as such terms are defined under federal law (46 USCA 10301 & 10501) and further to include "near foreign" voyages between the United States and Canada, Mexico, or the West Indies via ocean routes, or public vessels in oceangoing service or foreign waters and who has received a Certificate of Release or Discharge from Active Duty and a discharge certificate, or an Honorable Service Certificate/Report of Casualty, from the Department of Defense or who served as a United States civilian employed by the American Field Service and served overseas under United States Armies and United States Army Groups in world war II during the period of armed conflict, December seventh, nineteen hundred forty-one through May eighth, nineteen hundred forty-five, and who (i) was discharged or released therefrom under honorable conditions, or (ii) has a qualifying condition, as defined in section three hundred fifty of the executive law, and has received a discharge other than bad conduct or dishonorable from such service, or (iii) is a discharged LGBT veteran, as defined in section three hundred fifty of the executive law, and has received a discharge other than bad conduct or dishonorable from such service, or who served as a United States civilian Flight Crew and Aviation Ground Support Employee of Pan American World Airways or one of its subsidiaries or its affiliates and served overseas as a result of Pan American's contract with Air Transport Command or Naval Air Transport Service

1 during the period of armed conflict, December fourteenth, nineteen
2 hundred forty-one through August fourteenth, nineteen hundred forty-
3 five, and who (iv) was discharged or released therefrom under honorable
4 conditions, or (v) has a qualifying condition, as defined in section
5 three hundred fifty of the executive law, and has received a discharge
6 other than bad conduct or dishonorable from such service, or (vi) is a
7 discharged LGBT veteran, as defined in section three hundred fifty of
8 the executive law, and has received a discharge other than bad conduct
9 or dishonorable from such service.

10 § 71. Subparagraph 1 of paragraph (b) of subdivision 29 of section
11 210-B of the tax law, as amended by section 1 of part Q of chapter 59 of
12 the laws of 2018, is amended to read as follows:

13 (1) who served on active duty in the United States army, navy, air
14 force, marine corps, coast guard or the reserves thereof, or who served
15 in active military service of the United States as a member of the army
16 national guard, air national guard, New York guard or New York naval
17 militia; who (i) was released from active duty by general or honorable
18 discharge after September eleventh, two thousand one, or (ii) has a
19 qualifying condition, as defined in section three hundred fifty of the
20 executive law, and has received a discharge other than bad conduct or
21 dishonorable from such service after September eleventh, two thousand
22 one, or (iii) is a discharged LGBT veteran, as defined in section three
23 hundred fifty of the executive law, and has received a discharge other
24 than bad conduct or dishonorable from such service after September elev-
25 enth, two thousand one;

26 § 72. Subparagraph (A) of paragraph 2 of subsection (a-2) of section
27 606 of the tax law, as amended by section 2 of part Q of chapter 59 of
28 the laws of 2018, is amended to read as follows:

29 (A) who served on active duty in the United States army, navy, air
30 force, marine corps, coast guard or the reserves thereof, or who served
31 in active military service of the United States as a member of the army
32 national guard, air national guard, New York guard or New York naval
33 militia; who (i) was released from active duty by general or honorable
34 discharge after September eleventh, two thousand one, or (ii) has a
35 qualifying condition, as defined in section three hundred fifty of the
36 executive law, and has received a discharge other than bad conduct or
37 dishonorable from such service after September eleventh, two thousand
38 one, or (iii) is a discharged LGBT veteran, as defined in section three
39 hundred fifty of the executive law, and has received a discharge other
40 than bad conduct or dishonorable from such service after September elev-
41 enth, two thousand one;

42 § 73. Subparagraph (A) of paragraph 2 of subsection (g-1) of section
43 1511 of the tax law, as amended by section 3 of part Q of chapter 59 of
44 the laws of 2018, is amended to read as follows:

45 (A) who served on active duty in the United States army, navy, air
46 force, marine corps, coast guard or the reserves thereof, or who served
47 in active military service of the United States as a member of the army
48 national guard, air national guard, New York guard or New York naval
49 militia; who (i) was released from active duty by general or honorable
50 discharge after September eleventh, two thousand one, or (ii) has a
51 qualifying condition, as defined in section three hundred fifty of the
52 executive law, and has received a discharge other than bad conduct or
53 dishonorable from such service after September eleventh, two thousand
54 one, or (iii) is a discharged LGBT veteran, as defined in section three
55 hundred fifty of the executive law, and has received a discharge other

1 than bad conduct or dishonorable from such service after September elev-
2 enth, two thousand one;

3 § 74. Section 295 of the town law, as amended by chapter 658 of the
4 laws of 2004, is amended to read as follows:

5 § 295. Removal of remains of deceased members of armed forces. Upon a
6 verified petition presented to a judge of a court of record by any armed
7 forces' organization in any town or city in this state by a majority of
8 its officers, or a majority of any memorial committee in any town or
9 city where there are two or more veteran armed forces' organizations, or
10 in towns or cities where there are no veteran armed forces' organiza-
11 tions, upon the petition of five or more veterans of the armed forces,
12 the judge to whom said verified petition is presented shall make an
13 order to show cause, returnable before him at a time and place within
14 the county in not less than fourteen or more than twenty days from the
15 date of presentation of said petition, why the remains of any deceased
16 members of the armed forces buried in potter's field, or in any
17 neglected or abandoned cemeteries, should not be removed to and rein-
18 terred in a properly kept incorporated cemetery in the same town or city
19 or in a town adjoining the town or city in which the remains of a
20 deceased member of the armed forces are buried, and to fix the amount of
21 the expenses for such removal and reinterment, and the order to show
22 cause shall provide for its publication in a newspaper, to be designated
23 in the order, which is published nearest to the cemetery from which the
24 removal is sought to be made, once in each week for two successive
25 weeks. The verified petition presented to the judge shall show that the
26 petitioners are a majority of the officers of a veteran armed forces
27 organization, or a majority of a memorial committee in towns or cities
28 where two or more veteran armed forces organizations exist, or that the
29 petitioners are honorably discharged veterans of the armed forces in
30 towns or cities where no veteran armed forces organization exists, or
31 that the petitioners have a qualifying condition, as defined in section
32 three hundred fifty of the executive law, and received a discharge other
33 than bad conduct or dishonorable from such service and are in towns or
34 cities where no veteran armed forces organizations exist, or that the
35 petitioners are discharged LGBT veterans, as defined in section three
36 hundred fifty of the executive law, and received a discharge other than
37 bad conduct or dishonorable from such service and are in towns and
38 cities where no veteran armed forces organizations exist, and (1) the
39 name of the deceased member or members of the armed forces, whose
40 remains are sought to be removed, and if known the unit in which he or
41 they served; (2) the name and location of the cemetery in which he is
42 interred and from which removal is asked to be made; (3) the name and
43 location of the incorporated cemetery to which the remains are desired
44 to be removed and reinterred; (4) the facts showing the reasons for such
45 removal. Upon the return day of the order to show cause and at the time
46 and place fixed in said order, upon filing proof of publication of the
47 order to show cause with the judge, if no objection is made thereto, he
48 shall make an order directing the removal of the remains of said
49 deceased member or members of the armed forces to the cemetery desig-
50 nated in the petition within the town or city or within a town adjoining
51 the town or city in which the remains are then buried and shall specify
52 in the order the amount of the expenses of such removal, which expenses
53 of removal and reinterment, including the expense of the proceeding
54 under this section, shall be a charge upon the county in which the town
55 or city is situated from which the removal is made and such expenses
56 shall be a county charge and audited by the board of supervisors of the

1 county and paid in the same manner as other county charges. On and after
2 the removal and reinterment of the remains of the deceased member or
3 members of the armed forces in the armed forces' plot, the expenses for
4 annual care of the grave in the armed forces' burial plot to which the
5 removal is made shall be annually provided by the town or city in which
6 the remains were originally buried, at the rate of not to exceed twenty
7 dollars per grave, and shall be paid annually to the incorporated ceme-
8 tery association to which the remains of each deceased member of the
9 armed forces may be removed and reinterred. The petition and order shall
10 be filed in the county clerk's office of the county in which the remains
11 of the deceased member of the armed forces were originally interred, and
12 the service of a certified copy of the final order upon the cemetery
13 association shall be made prior to any removal. Any relative of the
14 deceased member or members of the armed forces, or the officer of any
15 cemetery association in which the remains of the deceased member or
16 members of the armed forces were originally interred, or the authorities
17 of the county in which the member or members of the armed forces were
18 originally buried, may oppose the granting of said order and the judge
19 shall summarily hear the statement of the parties and make such order as
20 the justice and equity of the application shall require. Any headstone
21 or monument which marks the grave of the deceased member of the armed
22 forces shall be removed and reset at the grave in the cemetery in which
23 the removal is permitted to be made and in each case the final order
24 shall provide the amount of the expenses of such removals and reinter-
25 ment and resetting of the headstone or monument, including the expenses
26 of the proceedings under this section; except that where provision is
27 otherwise made for the purchase or erection of a new headstone, monument
28 or marker at the grave in the cemetery to which such removal is permit-
29 ted, such old headstone or monument need not be so removed and reset, in
30 which case such final order shall not provide for the expense of reset-
31 ting. The order shall designate the person or persons having charge of
32 the removals and reinterments. Upon completion of the removal, reinter-
33 ment and resetting of the headstones or monuments, the person or persons
34 having charge of the same shall make a verified report of the removal,
35 reinterment and resetting of the headstone or monument and file the
36 report in the clerk's office of the proper county. The words "member of
37 the armed forces" shall be construed to mean ~~[an honorably discharged]~~ a
38 member of the armed forces who served in the armed forces of the United
39 States and who (5) was honorably discharged from such service, or (6)
40 has a qualifying condition, as defined in section three hundred fifty of
41 the executive law, and has received a discharge other than bad conduct
42 or dishonorable from such service, or (7) is a discharged LGBT veteran,
43 as defined in section three hundred fifty of the executive law, and has
44 received a discharge other than bad conduct or dishonorable from such
45 service, and the words "armed forces plot" shall be construed to mean a
46 plot of land in any incorporated cemetery set apart to be exclusively
47 used as a place for interring the remains of deceased veterans of the
48 armed forces of the United States.

49 § 75. Section 404-v of the vehicle and traffic law, as added by chap-
50 ter 389 of the laws of 2004, is amended to read as follows:

51 § 404-v. Distinctive plates for the United States Naval Armed Guard.
52 1. Any ~~[honorably discharged]~~ member of the United States Naval Armed
53 Guard residing in this state shall, upon request, be issued a license
54 plate bearing the words "United States Naval Armed Guard", or such other
55 phrase as the commissioner shall designate showing the registrant served
56 in the United States Naval Armed Guard. Application for such license

1 plate shall be filed with the commissioner in such form and detail as
2 the commissioner shall prescribe.

3 2. The distinctive plate authorized pursuant to this section shall be
4 issued upon proof, satisfactory to the commissioner, that the applicant
5 is ~~[an—honorably discharged]~~ a veteran who served in the United States
6 Naval Armed Guard and who (1) was honorably discharged from such
7 service, or (2) has a qualifying condition, as defined in section three
8 hundred fifty of the executive law, and has received a discharge other
9 than bad conduct or dishonorable from such service, or (3) is a
10 discharged LGBT veteran, as defined in section three hundred fifty of
11 the executive law, and has received a discharge other than bad conduct
12 or dishonorable from such service.

13 3. A distinctive plate issued pursuant to this section shall be issued
14 in the same manner as other number plates upon payment of the regular
15 registration fee prescribed by section four hundred one of this article,
16 provided, however, that an additional one-time service charge of ten
17 dollars shall be charged for such plate. Provided, however, that one
18 year after the effective date of this section funds in the amount of
19 five thousand dollars, or so much thereof as may be available, shall be
20 allocated from such funds to the department to offset costs associated
21 with the production of such license plates.

22 § 76. Subdivision 1 of section 404-w of the vehicle and traffic law,
23 as added by chapter 105 of the laws of 2005, is amended to read as
24 follows:

25 1. Any war on terror veteran residing in this state shall, upon
26 request, be issued a license plate bearing the words "War on Terror
27 veteran". Application for said license plate shall be filed with the
28 commissioner in such form and detail as the commissioner shall
29 prescribe. For purposes of this section, a "war on terror" veteran shall
30 mean:

31 (a) a person who served in the armed forces of the United States in
32 the hostilities that occurred in the Persian Gulf from the eleventh day
33 of September, two thousand one, to the end of such hostilities, who (i)
34 was discharged therefrom under other than dishonorable conditions, or
35 (ii) has a qualifying condition, as defined in section three hundred
36 fifty of the executive law, and has received a discharge other than bad
37 conduct or dishonorable from such service, or (iii) is a discharged LGBT
38 veteran, as defined in section three hundred fifty of the executive law,
39 and has received a discharge other than bad conduct or dishonorable from
40 such service; or

41 (b) a person who served in the armed forces of the United States in
42 the hostilities that occurred in Afghanistan from the eleventh day of
43 September, two thousand one, to the end of such hostilities, who (i)
44 was discharged therefrom under other than dishonorable conditions, or (ii)
45 has a qualifying condition, as defined in section three hundred fifty of
46 the executive law, and has received a discharge other than bad conduct
47 or dishonorable from such service, or (iii) is a discharged LGBT veter-
48 an, as defined in section three hundred fifty of the executive law, and
49 has received a discharge other than bad conduct or dishonorable from
50 such service.

51 § 77. Subdivision 3 of section 404-w of the vehicle and traffic law,
52 as added by chapter 493 of the laws of 2005, is amended to read as
53 follows:

54 3. For the purposes of this section, "Persian Gulf veteran" shall mean
55 a person who is a resident of this state, who served in the armed forces
56 of the United States in the hostilities that occurred in the Persian

1 Gulf from the second day of August, nineteen hundred ninety to the end
2 of such hostilities, and ~~were~~ was (a) honorably discharged from the
3 military, or (b) has a qualifying condition, as defined in section three
4 hundred fifty of the executive law, and has received a discharge other
5 than bad conduct or dishonorable from such service, or (c) is a
6 discharged LGBT veteran, as defined in section three hundred fifty of
7 the executive law, and has received a discharge other than bad conduct
8 or dishonorable from such service.

9 § 78. Subdivision 3 of section 404-y of the vehicle and traffic law,
10 as added by chapter 107 of the laws of 2017, is amended to read as
11 follows:

12 3. For the purposes of this section, the following terms shall have
13 the following meanings:

14 (a) "Veteran of the Iraq War" shall mean a person who is a resident of
15 this state, who served in the armed forces of the United States in the
16 hostilities that occurred in Iraq from the sixteenth day of October, two
17 thousand two to the end of such hostilities who (i) was discharged ther-
18 efrom under other than dishonorable conditions or (ii) has a qualifying
19 condition, as defined in section three hundred fifty of the executive
20 law, and has received a discharge other than bad conduct or dishonorable
21 from such service, or (iii) is a discharged LGBT veteran, as defined in
22 section three hundred fifty of the executive law, and has received a
23 discharge other than bad conduct or dishonorable from such service; and

24 (b) "Veteran of the Afghanistan War" shall mean a person who is a
25 resident of this state, who served in the armed forces of the United
26 States in the hostilities that occurred in Afghanistan from the seventh
27 day of October, two thousand one to the end of such hostilities who (i)
28 was discharged therefrom under other than dishonorable conditions or
29 (ii) has a qualifying condition, as defined in section three hundred
30 fifty of the executive law, and has received a discharge other than bad
31 conduct or dishonorable from such service, or (iii) is a discharged LGBT
32 veteran, as defined in section three hundred fifty of the executive law,
33 and has received a discharge other than bad conduct or dishonorable from
34 such service.

35 § 79. Paragraph (b) of subdivision 3 of section 490 of the vehicle and
36 traffic law, as amended by chapter 429 of the laws of 2014, is amended
37 to read as follows:

38 (b) The identification card shall contain a distinguishing number or
39 mark and adequate space upon which an anatomical gift, pursuant to arti-
40 cle forty-three of the public health law, by the holder may be recorded
41 and shall contain such other information and shall be issued in such
42 form as the commissioner shall determine; provided, however, every iden-
43 tification card or renewal thereof issued to a person under the age of
44 twenty-one years shall have prominently imprinted thereon the statement
45 "UNDER 21 YEARS OF AGE" in notably distinctive print or format.
46 Provided, further, however, that every identification card issued to an
47 applicant who was a member of the armed forces of the United States and
48 (i) received an honorable discharge or was released therefrom under
49 honorable conditions, or (ii) has a qualifying condition, as defined in
50 section three hundred fifty of the executive law, and has received a
51 discharge other than bad conduct or dishonorable from such service, or
52 (iii) is a discharged LGBT veteran, as defined in section three hundred
53 fifty of the executive law, and has received a discharge other than bad
54 conduct or dishonorable from such service, shall, upon his or her
55 request and submission of proof as set forth herein, contain a distin-
56 guishing mark, in such form as the commissioner shall determine, indi-

1 cating that he or she is a veteran. Such proof shall consist of a
2 certificate of release or discharge from active duty including but not
3 limited to a DD Form 214 or other proof satisfactory to the commission-
4 er. The commissioner shall not require fees for the issuance of such
5 identification cards or renewals thereof to persons under twenty-one
6 years of age which are different from the fees required for the issuance
7 of identification cards or renewals thereof to persons twenty-one years
8 of age or over, nor fees to persons requesting a veteran distinguishing
9 mark which are different from fees that would otherwise be required.
10 Provided, however, that notwithstanding the provisions of section four
11 hundred ninety-one of this article, the commissioner shall not require
12 any fees for the duplication or amendment of an identification card
13 prior to its renewal if such duplication or amendment was solely for the
14 purpose of adding a veteran distinguishing mark to such identification
15 card.

16 § 80. Paragraph (a-1) of subdivision 1 of section 504 of the vehicle
17 and traffic law, as amended by chapter 429 of the laws of 2014, is
18 amended to read as follows:

19 (a-1) Every license or renewal thereof issued to an applicant who was
20 a member of the armed forces of the United States and who (i) received
21 an honorable discharge or was released therefrom under honorable condi-
22 tions, or (ii) has a qualifying condition, as defined in section three
23 hundred fifty of the executive law, and has received a discharge other
24 than bad conduct or dishonorable from such service, or (iii) is a
25 discharged LGBT veteran, as defined in section three hundred fifty of
26 the executive law, and has received a discharge other than bad conduct
27 or dishonorable from such service, shall, upon his or her request and
28 submission of proof as set forth herein, contain a distinguishing mark,
29 in such form as the commissioner shall determine, indicating that he or
30 she is a veteran. Such proof shall consist of a certificate of release
31 or discharge from active duty including but not limited to a DD Form 214
32 or other proof satisfactory to the commissioner. The commissioner shall
33 not require fees for the issuance of such licenses or renewals thereof
34 to persons requesting a veteran distinguishing mark which are different
35 from fees otherwise required; provided, however, that notwithstanding
36 the provisions of this section, the commissioner shall not require fees
37 for a duplication or amendment of a license prior to its renewal if such
38 duplication or amendment was solely for the purpose of adding a veteran
39 distinguishing mark to such license.

40 § 81. Paragraph (a) of subdivision 8 of section 15 of the workers'
41 compensation law, as amended by chapter 635 of the laws of 1996, is
42 amended to read as follows:

43 (a) Declaration of policy and legislative intent. As a guide to the
44 interpretation and application of this subdivision, the policy and
45 intent of this legislature is declared to be as follows:

46 First: That every person in this state who works for a living is enti-
47 tled to reasonable opportunity to maintain his independence and self-
48 respect through self-support even after he/she has been physically hand-
49 icapped by injury or disease;

50 Second: That any plan which will reasonably, equitably and practically
51 operate to break down hindrances and remove obstacles to the employment
52 of partially disabled persons who (i) are honorably discharged from our
53 armed forces, or (ii) have a qualifying condition, as defined in section
54 three hundred fifty of the executive law, and received a discharge other
55 than bad conduct or dishonorable from such service, or (iii) are
56 discharged LGBT veterans, as defined in section three hundred fifty of

1 the executive law, and received a discharge other than bad conduct or
2 dishonorable from such service, or any other physically handicapped
3 persons, is of vital importance to the state and its people and is of
4 concern to this legislature;

5 Third: That it is the considered judgment of this legislature that the
6 system embodied in this subdivision, which makes a logical and equitable
7 adjustment of the liability under the workers' compensation law which an
8 employer must assume in hiring employees, constitutes a practical and
9 reasonable approach to a solution of the problem for the employment of
10 physically handicapped persons.

11 Moreover, because of the insidious nature of slowly developing
12 diseases such as silicosis and other dust diseases and because of the
13 reluctance on the part of employers to employ persons previously exposed
14 to silica or other harmful dust, means should also be provided whereby
15 employers will be encouraged to employ and to continue the employment of
16 such persons, by apportioning liability fairly between the employer and
17 industry as a whole without at the same time removing any incentive for
18 the prevention of harmful dust diseases.

19 § 82. This act shall take effect one year after it shall have become a
20 law; provided, however that the amendments to subdivision 7 of section
21 369-h of the executive law made by section twenty-five of this act shall
22 not affect the repeal of such section and shall be deemed repealed ther-
23 ewith. Effective immediately, the addition, amendment and/or repeal of
24 any rule or regulation necessary for the implementation of this act on
25 its effective date are authorized to be made and completed on or before
26 such effective date.