

STATE OF NEW YORK

8294--A

2021-2022 Regular Sessions

IN ASSEMBLY

October 15, 2021

Introduced by M. of A. BARRETT, HUNTER, CUSICK, STERN, SANTABARBARA, PHEFFER AMATO, BURDICK, RAJKUMAR, SEPTIMO, WALLACE, ASHBY, McDONOUGH, HAWLEY, MORINELLO, MANKTELOW, BURKE, BUTTENSCHON, GRIFFIN, LUNSFORD, McMAHON, SILLITTI, STECK, GONZALEZ-ROJAS, LAVINE, LUPARDO, ENGLE-BRIGHT, THIELE, ANDERSON, SALKA, McDONALD, SCHMITT, WOERNER, DICKENS, ANGELINO, DeSTEFANO, JACOBSON, EPSTEIN, PERRY, D. ROSENTHAL, M. MILLER, STIRPE, CRUZ, LEMONDES, CONRAD, B. MILLER, TAYLOR, NORRIS, DiPIETRO, SOLAGES, JONES, CAHILL -- read once and referred to the Committee on Veterans' Affairs -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT in relation to constituting chapter 13 of the consolidated law, in relation to establishing the veterans' services law and the department of veterans' services; to amend the domestic relations law, the education law, the election law, the environmental conservation law, the executive law, the general municipal law, the labor law, the mental hygiene law, the not-for-profit corporation law, the public health law, the social services law, the state finance law, the defense emergency act of 1951, the administrative code of the city of New York, the New York city charter, the cannabis law, the state technology law, the county law, the economic development law, the correction law, the civil service law, the general business law, the general construction law, the highway law, the insurance law, the judiciary law, the military law, the public housing law, the public officers law, the private housing finance law, the real property tax law, the tax law, the town law, the vehicle and traffic law, and the workers' compensation law, in relation to replacing all instances of the term "division of veterans services" with the term "department of veterans' services" and to making related conforming technical changes; and to repeal certain provisions of the executive law relating to veterans' services and of the military law relating to certain awards and medals

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

LBD13178-06-1

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

Section 1. Articles 17, 17-A and 17-B of the executive law and subdivision 1-c of section 247 of the military law are REPEALED.

§ 2. Chapter 13 of the consolidated laws is enacted to read as follows:

CHAPTER 13 OF THE CONSOLIDATED LAWS

VETERANS' SERVICES

ARTICLE 1

DEPARTMENT OF VETERANS' SERVICES

Section 1. Definitions.

2. Department of veterans' services.

3. Veterans' services commission.

4. General functions, powers and duties of department.

5. Veteran speaker education program.

6. Cooperation and facilities of other departments.

7. Information on status of veterans receiving assistance.

8. New York state supplemental burial allowance for members of the armed forces of the United States killed in combat or duty subject to hostile fire or imminent danger, as defined in 37 USC § 310.

9. New York state veteran burial fund.

10. Time within which marriage may be solemnized; member of the armed forces.

11. Use of personal confidential information obtained from veterans or family members of veterans receiving services from the state and political subdivisions thereof.

12. Acceptance of gifts.

13. State veterans' service agency.

14. Local veterans' service agencies.

15. Powers and duties of local veterans' service agencies.

16. Location and cost of local veterans' service agencies; deputy local directors.

17. Local veterans' service committees.

18. Appropriations for expenses and activities of local veterans' service agencies.

19. Women veterans coordinator.

20. Creation of annuity.

21. Evidence of entitlement.

22. Persons who may receive annuity.

23. New York state veterans' cemeteries.

24. Veterans health screening.

25. Payment to parents of veterans.

26. Cremated remains of a veteran.

27. New York state silver rose veterans service certificate.

§ 1. Definitions. When used in this article:

1. The term "department" means the department of veterans' services.

2. The term "state commissioner" means the New York state commissioner of veterans' services.

3. The term "veteran" means a person, male or female, resident of this state, who has served in the active military or naval service of the United States during a war in which the United States engaged and who has been released from such service otherwise than by dishonorable discharge, or who has been furloughed to the reserve.

1 4. The term "armed forces" means the military and naval forces of the
2 United States.

3 5. The term "local director" means the director of a county or city
4 veterans' service agency.

5 6. The term "county director" means a local director of a county
6 veterans' service agency.

7 7. The term "city director" means a local director of a city veterans'
8 service agency.

9 8. The term "qualifying condition" means a diagnosis of post-traumatic
10 stress disorder or traumatic brain injury made by, or an experience of
11 military sexual trauma, as described in 38 USC 1720D, as amended from
12 time to time, disclosed to, an individual licensed to provide health
13 care services at a United States Department of Veterans Affairs facility
14 or an individual licensed to provide health care services within the
15 state of New York. The department shall develop a standardized form used
16 to confirm that the veteran has a qualifying condition under this subdi-
17 vision.

18 9. The term "discharged LGBT veteran" means a veteran who was
19 discharged less than honorably from military or naval service due to
20 their sexual orientation or gender identity or expression, as those
21 terms are defined in section two hundred ninety-two of the executive
22 law, or statements, consensual sexual conduct, or consensual acts relat-
23 ing to sexual orientation, gender identity or expression, or the disclo-
24 sure of such statements, conduct, or acts, that were prohibited by the
25 military or naval service at the time of discharge. The department shall
26 establish a consistent and uniform process to determine whether a veter-
27 an qualifies as a discharged LGBT veteran under this subdivision,
28 including, at a minimum, standards for verifying a veteran's status as a
29 discharged LGBT veteran, and a method of demonstrating eligibility as a
30 discharged LGBT veteran.

31 § 2. Department of veterans' services. There is hereby created a
32 department of veterans' services. The head of such department shall be
33 the New York state commissioner of veterans' services who shall be a
34 veteran. He or she shall be appointed by the governor and shall hold
35 office during his or her pleasure. Such state commissioner shall receive
36 an annual salary to be fixed by the governor within the limitation
37 provided by law. He or she shall also be entitled to receive his or her
38 expenses actually and necessarily incurred by him or her in the perform-
39 ance of his or her duties. The state commissioner, with the approval of
40 the governor, may establish such bureaus within the department as are
41 necessary and appropriate to carrying out its functions and may consol-
42 idate or abolish such bureaus. The state commissioner may appoint such
43 officers, consultants, clerks and other employees and agents as he or
44 she may deem necessary, fix their compensation within the limitation
45 provided by law, and prescribe their duties.

46 § 3. Veterans' services commission. 1. There shall be in the depart-
47 ment a veterans' services commission, which shall consist of the members
48 and the ex officio members provided for in this section.

49 2. There shall be thirteen members of the commission who shall be
50 veterans appointed by the governor, including two appointed on recommen-
51 dation of the temporary president of the senate, one appointed on recom-
52 mendation of the minority leader of the senate, two appointed on recom-
53 mendation of the speaker of the assembly, and one appointed on
54 recommendation of the minority leader of the assembly. The appointment
55 of members made by the governor without recommendation shall be subject
56 to advice and consent of the senate. The members of the commission

1 shall serve for terms of three years each. Appointed members presently
2 serving on the commission shall continue to serve for the remainder of
3 the term appointed. Any member chosen to fill a vacancy of such an
4 appointed member occurring otherwise than by expiration of term shall be
5 appointed for the remainder of the unexpired term of the member whom he
6 or she is to succeed. Members appointed as provided in this subdivision
7 shall receive no salary or other compensation, but each shall be enti-
8 tled to receive expenses actually and necessarily incurred in the
9 performance of their duties.

10 3. Ex officio members. (a) The adjutant general of the state of New
11 York shall be an ex officio member of the commission.

12 (b) In addition, the state commissioner may appoint the head of any
13 other state agency or their designee as a non-voting, ex officio member
14 of the commission. Such appointments shall expire annually on December
15 thirty-first unless such appointments are renewed by the state commis-
16 sioner.

17 4. One of the members of the commission, which shall include the adju-
18 tant general, shall be designated as chairperson by the governor. The
19 designation shall be in writing and shall be filed with the commission.

20 5. The commission shall have power, and it shall be its duty, to
21 assist the state commissioner in the formulation of policies affecting
22 veterans and in the coordination of all operations of state agencies
23 relating to veterans' services.

24 § 4. General functions, powers and duties of department. The depart-
25 ment, by and through the state commissioner or his or her duly author-
26 ized officer or employee, shall have the following functions, powers and
27 duties:

28 1. To coordinate the program and activities of departments, divisions,
29 boards, bureaus, commissions or agencies of the state or of any poli-
30 tical subdivision of the state in providing services and facilities to
31 members of the armed forces and to veterans who are residents of this
32 state and their families.

33 2. To maintain liaison with other public officials and agencies
34 concerned with the development or execution of plans for members of the
35 armed forces and veterans who are residents of this state, and their
36 families, and to assist in the development and execution of such plans.

37 3. To establish, direct and supervise a state veterans' services agen-
38 cy; and to create or designate other agencies of the department to aid
39 and assist in the discharge of one or more of its functions, powers or
40 duties under this article, and grant authority to such agencies as may
41 be deemed necessary for the effective accomplishment of any of such
42 functions, powers or duties.

43 4. To operate and maintain counseling services, rest camps and other
44 agencies and institutions and to administer benefits and facilities for
45 members of the armed forces and veterans who are residents of this
46 state, and their families.

47 5. To provide seminars three times per year at locations throughout
48 the state to advise veterans and their surviving spouses, who are age
49 sixty-two or older, of veterans' benefits for which they may be eligible
50 from the state and federal governments, and the means of obtaining such
51 benefits.

52 6. To provide seminars three times per year at locations throughout
53 the state to advise women veterans of their benefits for which they may
54 be eligible from the state and federal governments, the means of obtain-
55 ing such benefits and other topics, including, but not limited to,
56 health care issues of specific interest to women veterans.

7. To provide in cooperation with the office of general services and the office of the comptroller a series of seminars, that shall be conducted four or more times per year at regional sites located throughout the state of New York for the purpose of advising veteran-owned businesses regarding the opportunities available for obtaining procurement contracts from New York state agencies, municipalities, and authorities. Furthermore the seminars shall provide requirements and training that will enable veteran-owned businesses to successfully participate in the procurement process.

8. To execute and assist in the execution of plans for the efficient utilization of the resources and facilities of the state in matters related to members of the armed forces and veterans who are residents of this state, and their families.

9. To make studies and analyses and develop and execute plans for assistance and benefits to members of the armed forces and veterans who are residents of this state, and their families, and the creation of agencies, institutions and facilities therefor.

10. To prepare and submit a report, in consultation with the office of temporary and disability assistance, department of labor, and office of children and family services to determine the number of homeless persons in New York state that are veterans. Such report shall include, but not be limited to, the following information to the extent it is reasonably accessible to the department: (a) an analysis of veterans in New York state who are currently homeless, or have been homeless within five years of being released from active duty including an analysis of gender as it relates to homelessness of veterans; (b) data on the number of children of homeless veterans, including the current placement of such children; (c) cases of military sexual trauma experienced by homeless veterans while on active duty or during military training, including a breakdown of the collected data based upon the gender of the victim; and (d) the unemployment rate for New York state veterans. The term "children of homeless veterans" shall mean a person who is unmarried and who is under the age of eighteen years, and is the biological or legally adopted child of a veteran. The report shall be delivered to the governor, the speaker of the assembly and the temporary president of the senate by June thirtieth, two thousand twenty and every three years thereafter. Such report shall be publicly available and posted on the department of veterans' services website.

11. To develop and encourage plans for the occupational reorientation of veterans who are residents of this state, including the determination and certification of civilian equivalents for military experience and the development and encouragement of on-the-job training and apprenticeship training programs. Furthermore, the department shall provide an internet connection to correlate military occupations and skills into civilian translations and terms.

12. To provide information regarding resources that are available to assist veterans in establishing and sustaining a small business by maintaining a small business portal on the department's internet website. Such portal shall provide virtual links to appropriate government programs including, but not limited to the United States Department of Veterans' Affairs. The department may consult with the New York State Small Business Development Center and any other appropriate state agencies. The department shall make reference to this information in its newsletter, at the three seminars sponsored by the department pursuant to subdivisions five, six, and seven of this section and the annual report to the governor and the legislature as provided in subdivision

seventeen of this section. Such information required under this subdivision shall be maintained and updated annually. The information may also be made available in printed form.

13. To provide information regarding resources that are available to assist veterans in obtaining employment by maintaining a veterans' employment portal on the department's internet website. Such portal shall provide virtual links to appropriate governmental programs on the federal and state level, including, but not limited to the United States department of labor and the New York state department of labor. The department may consult with members of the community devoted to helping veterans obtain employment. The department shall make reference to this information pursuant to subdivisions five, six, and seven of this section and the annual report to the governor and the legislature as provided in subdivision seventeen of this section. Such information required under this subdivision shall be maintained and updated annually. The information may also be made available in printed form.

14. To adopt, promulgate, amend and rescind suitable rules and regulations to carry out the provisions of this article.

15. To recommend to the legislature and the governor legislative proposals for the benefit of members of the armed forces and veterans who are residents of this state, and their families.

16. To exercise and perform such other functions, powers and duties as may be deemed necessary to protect the interests and promote the welfare of members of the armed forces and veterans who are residents of this state, and their families.

17. To render each year to the governor and to the legislature a written report of the activities and recommendations of the department.

18. (a) For the purpose of providing for the construction, establishment, expansion, improvement, support, operation, maintenance and the provision of perpetual care for state veterans' cemeteries, to seek funding from, and make application for funding to:

(1) the government of the United States, including any agency or public authority thereof;

(2) the government of the state of New York, including any agency or public authority thereof;

(3) any political subdivision of the government of the state of New York, including any agency or public authority thereof; or

(4) any private individual, corporation or foundation;

(b) Pursuant to section twenty-three of this article, to provide for the construction, establishment, expansion, improvement, support, operation, maintenance and the provision of perpetual care for state veterans cemeteries;

(c) To expend moneys from the veterans remembrance and cemetery maintenance and operation fund, established pursuant to section ninety-seven-mmm of the state finance law; and

(d) To evaluate, monitor and otherwise oversee the operation of veterans cemeteries in this state.

19. To make application to the government of the United States or any political subdivision, agency or instrumentality thereof, for funds for the purpose of providing an optional fund for the burial of veterans who (i) were honorably discharged or (ii) had a qualifying condition, as defined in section one of this article, and received a discharge other than bad conduct or dishonorable, or (iii) were a discharged LGBT veteran, as defined in section one of this article, and received a discharge other than bad conduct or dishonorable, in any not-for-profit cemetery corporation in this state; provided, however, that all costs associated

1 with the establishment of such optional fund shall be borne by the poli-
2 tical subdivision, agency or instrumentality with which the department
3 has contracted.

4 20. To establish, operate and maintain a toll-free telephone number,
5 under the supervision of the state commissioner, for the purpose of
6 providing callers thereof with information relating to services provided
7 by the department as well as services and programs provided to veterans
8 by other agencies, bureaus and organizations. Such services and programs
9 shall include, but not be limited to, educational and job benefits,
10 tuition assistance programs, survivor benefits, health and mental health
11 referrals and real property tax exemptions.

12 21. To establish, operate and maintain a free mobile application,
13 under the supervision of the state commissioner, for the purposes of
14 providing veterans and their family members with information, available
15 on a region-specific basis, relating to services provided by the depart-
16 ment as well as services and programs provided to veterans by other
17 state agencies, the federal government, and other organizations. Such
18 services and programs shall include, but not be limited to educational
19 and job benefits, tuition assistance programs, survivor benefits, health
20 and mental health referrals, and real property tax exemptions. The
21 department's website shall contain a link to the free mobile applica-
22 tion.

23 22. To develop, jointly with the commissioner of education, a form by
24 which the parent or person in parental relation to a designated child
25 may, should he or she so elect, report to the department that a parent
26 of such child is a veteran of the armed forces who served in Vietnam
27 during the Vietnam conflict. This form shall: (i) clearly state that the
28 parent or person in parental relation is not required to provide the
29 information requested and that the information will have no bearing upon
30 the services the child will receive; (ii) state that the information
31 will be used exclusively for research purposes and explain those
32 research purposes in plain language; and (iii) provide the address to
33 which the form is to be mailed, should the parent or person in parental
34 relation elect to make such report. For the purposes of this subdivi-
35 sion, the term "designated child" shall mean a child designated by a
36 school district committee on special education pursuant to section
37 forty-four hundred two of the education law as either learning disabled
38 or emotionally disturbed.

39 23. To process all information received from nursing homes and resi-
40 dential health care facilities, including assisted living and assisted
41 living residences as defined in section forty-six hundred fifty-one of
42 the public health law, and adult care facilities authorized under title
43 two of article seven of the social services law, indicating veteran or
44 veteran spouse status. Such processing shall occur by transmitting such
45 information to state counselors for review and potential linkage to
46 applicable benefits, including but not limited to federal aid and
47 attendance and a federal improved pension program. State counselors
48 shall work with county counselors or any accredited service officers of
49 an organization chartered by the congress of the United States and/or
50 recognized by the department of veterans affairs for claim represen-
51 tation as necessary and where appropriate. Such information shall be
52 protected as personal confidential information under article six-A of
53 the public officers law against disclosure of confidential material, and
54 shall be used only to assist in providing linkage to applicable benefits
55 and entitlements under federal and state law.

24. To include within the annual report as required by subdivision seventeen of this section an accounting of the number of forms received from nursing homes and residential health care facilities, including assisted living and assisted living residences as defined in section forty-six hundred fifty-one of the public health law, and adult care facilities authorized under title two of article seven of the social services law, and the specific number of veterans and spouses of veterans linked to applicable benefits, including, but not limited to federal aid and attendance and a federal improved pension program. Such report shall evaluate the average time taken by the department between receipt of such information, transmission to veterans counselors and linkage to available benefits. Such report shall also evaluate the effectiveness of the program and make recommendations for improvements as necessary.

25. To encourage the development of and to provide for the establishment of a state women veterans coordinator, as provided in section nineteen of this article.

26. To make available information on accident prevention courses approved by the commissioner of motor vehicles online on the department's website. The department shall provide a link to the department of motor vehicles website pages containing information on the accident prevention courses.

27. To provide information regarding resources that are available to assist veterans who experience mental health or substance abuse problems, and veterans with physical disabilities, by maintaining mental health, substance abuse and physical disabilities portals on the department's internet website. Such portals shall provide virtual links to appropriate governmental programs on the federal and state levels and information on suicide prevention, peer outreach and support, and services that address the special needs of physically disabled veterans. The department may consult with the office of mental health, the office of addiction services and supports, the department of health and the department of labor. The department shall make reference to this information provided pursuant to subdivisions five and six of this section and in the annual report to the governor and the legislature required pursuant to subdivision seventeen of this section. Such information required under this subdivision shall be maintained and updated annually.

28. To include within the annual report as required by subdivision seventeen of this section an accounting of the number of veteran-owned small businesses in the state of New York, to be listed by the following designations: small business concern owned and controlled by veterans as set forth in 15 U.S.C. section 632(Q)(3), as amended from time to time, and service disabled veteran-owned business enterprise as set forth in article three of this chapter. Such listing shall include but not be limited to the name of the veteran owner or owners of each business, location of each such business, the type of each such business and whenever practicable, be divided into categories of labor, services, equipment, materials and recognized construction trades. The department shall request this information annually from the U.S. department of veterans affairs, any other appropriate federal agencies and the department of service-disabled veterans' business development within the New York state office of general services.

29. To maintain a fact sheet on the department's webpage containing (a) contact information for all veterans integrated service networks located within the state, (b) current contact information for the United States veterans health administration including VA medical centers and

1 clinics and (c) contact information for each New York State veterans'
2 home. The fact sheet shall be entitled, "Information for Veterans
3 concerning Health Care Options" and shall be updated annually.

4 30. To maintain a listing on the department's website of the local
5 veterans' service agencies established pursuant to section fourteen of
6 this article with the name, location, hours of operation and contact
7 information of each county and city veterans' service agency. The
8 department shall also provide this information in its annual report to
9 the governor and the legislature as required pursuant to subdivision
10 seventeen of this section. Information under this subdivision shall be
11 provided to the department by each local veterans' service agency and
12 shall be updated annually.

13 31. To maintain a discharge upgrade advisory board program within the
14 department to provide written non-binding advisory opinions to veterans
15 of the state of New York appealing their character of discharge from the
16 discharge review board or the board for corrections of military records
17 for their branch of service on the federal level. Individuals may
18 submit an application with evidence, including all relevant documents,
19 which shall be reviewed by the discharge upgrade advisory board program
20 in a timely manner. If such board finds the veteran's application for a
21 discharge upgrade is meritorious, then the board will provide the veter-
22 an with a written opinion advocating for the discharge review board or
23 board for corrections of military or naval records to grant that veter-
24 an's appeal. The department shall post information on the discharge
25 upgrade advisory board program on its official webpage. The annual
26 report required by subdivision seventeen of this section shall contain
27 information including, but not limited to, the number of cases reviewed,
28 and the number of cases where a veteran's application was found to be
29 meritorious.

30 32. To provide information regarding resources that are available to
31 assist veterans who experienced military sexual trauma while on active
32 duty or during military training, by maintaining a military sexual trau-
33 ma portal on the department's internet website. Such portal shall
34 provide virtual links to appropriate governmental programs on the feder-
35 al and state levels. The department may consult with the office of
36 mental health and the department of health. The department shall make
37 reference to this information provided pursuant to subdivisions five and
38 six of this section and in the annual report to the governor and the
39 legislature required pursuant to subdivision seventeen of this section.
40 Such information required under this subdivision shall be maintained and
41 updated annually.

42 33. To make widely available to the public via, among other things,
43 publication on the department's website and free mobile application
44 pursuant to subdivision twenty-one of this section, information regard-
45 ing the veterans remembrance and cemetery maintenance and operation fund
46 established pursuant to section ninety-seven-mmmm of the state finance
47 law.

48 34. To coordinate outreach efforts that ensure members of the armed
49 forces and veterans who are residents of this state, and their families,
50 are made aware of services for veterans from any departments, divisions,
51 boards, bureaus, commissions or agencies of the state or any political
52 subdivision of this state.

53 35. To develop collaborative relationships among state, federal, and
54 local agencies and private organizations, including but not limited to
55 the office of mental health, state office for the aging, and office of
56 addiction services and supports, to help facilitate access to services

1 by members of the armed forces and veterans who are residents of the
2 state and their families.

3 § 5. Veteran speaker education program. 1. There is hereby established
4 within the department a veteran speaker education program to be devel-
5 oped and implemented by the commissioner in consultation with the
6 commissioner of the New York state military museum and veterans resource
7 center and in accordance with the provisions of this section. Such
8 program shall provide school districts within this state with a listing
9 of available veteran speakers willing to visit classrooms for the
10 purpose of discussing their military experience.

11 2. The department, from its available resources, shall develop an
12 informational pamphlet to be distributed either by mail or electron-
13 ically to school districts which provides a general overview of the
14 program including its purpose and how to participate. The department
15 shall, in consultation with congressionally chartered veterans organiza-
16 tions and local veterans services agencies, appoint and create a listing
17 of veteran speakers coordinators for each county of the state who shall
18 be listed in the informational pamphlet. The veteran speakers coordina-
19 tors' duties shall include but not be limited to contacting veterans who
20 reside in their county including those who have participated in the
21 veteran's oral history program at the New York state military museum or
22 the West Point oral history project or the veterans history project of
23 the American Folklore Center or any similar oral history project with
24 information about this program and inquiring as to whether such persons
25 would be willing to participate as speakers or in any other capacity.
26 The listing shall include the names and contact information for such
27 veterans including information describing the type of military service
28 performed by each such person, the time and length of service, geograph-
29 ic area or areas where such person served and rank. The veteran speak-
30 ers coordinators shall annually update such information regarding the
31 availability of such veterans.

32 3. No teacher or veteran shall be required to participate in this
33 program. Any teacher who wishes to supplement his or her classroom
34 instruction concerning a particular era in American military history may
35 contact a participating veteran personally to request that such person
36 visit a classroom to discuss his or her military experience. A teacher
37 shall be responsible for ascertaining the appropriateness of any
38 proposed speaker based upon the age of the children and the intended
39 subject matter. Nothing in this section shall be intended to supersede
40 any particular or general school rules or regulations or other laws
41 relating to curriculum.

42 4. The department shall require a certified copy of the veteran's
43 discharge papers to participate in the veteran speaker program. Such
44 form shall be filed with the department to serve as evidence that such
45 person is a veteran who served in the United States military honorably.

46 5. The department shall implement a procedure for evaluations of each
47 speaker to be completed by teachers and students, and maintain such
48 evaluations and make them available upon request to other teachers who
49 plan to participate.

50 6. The department may consult with other veterans organizations and
51 any branch of the U.S. military in the development of this program.

52 § 6. Cooperation and facilities of other departments. To effectuate
53 the purposes of this article, the governor may direct any department,
54 division, board, bureau, commission or agency of the state, or of any
55 political subdivision thereof, to cooperate with and assist and advise
56 the department in the performance of its duties and functions, and to

1 provide such facilities, including personnel, materials and other
2 assistance and data as will enable the department or any of its agencies
3 to properly carry out its activities and effectuate its purposes under
4 this article.

5 § 7. Information on status of veterans receiving assistance. Depart-
6 ments, divisions, bureaus, boards, commissions and agencies of the state
7 and political subdivisions thereof, which provide assistance, treatment,
8 counseling, care, supervision or custody in service areas involving
9 health, mental health, family services, criminal justice or employment,
10 including but not limited to the office of addiction services and
11 supports, office of mental health, office of probation and correctional
12 alternatives, office of children and family services, office of tempo-
13 rary and disability assistance, department of health, department of
14 labor, local workforce investment boards, office for people with devel-
15 opmental disabilities, and department of corrections and community
16 supervision, shall request assisted persons to provide information with
17 regard to their veteran status and military experiences. Individuals
18 identifying themselves as veterans shall be advised that the department
19 of veterans' services and local veterans' service agencies established
20 pursuant to section fourteen of this article provide assistance to
21 veterans regarding benefits under federal and state law. Information
22 regarding veterans status and military service provided by assisted
23 persons solely to implement this section shall be protected as personal
24 confidential information under article six-A of the public officers law
25 against disclosure of confidential material, and used only to assist in
26 the diagnosis, treatment, assessment and handling of the veteran's prob-
27 lems within the agency requesting such information and in referring the
28 veteran to the department of veterans' services for information and
29 assistance with regard to benefits and entitlements under federal and
30 state law.

31 § 8. New York state supplemental burial allowance for members of the
32 armed forces of the United States killed in combat or duty subject to
33 hostile fire or imminent danger, as defined in 37 USC § 310. 1. As used
34 in this section, "parent" means a father, a mother, a father through
35 adoption, a mother through adoption, or an individual who, for a period
36 of not less than one year, at any time before the decedent's entry into
37 active military service stood in the relationship of a parent to a dece-
38 dent who died in combat or duty subject to hostile fire or imminent
39 danger, as defined in 37 USC § 310, or who died from a wound incurred in
40 combat or while serving on duty subject to hostile fire or imminent
41 danger, as defined in 37 USC § 310 or, if two persons stood in the
42 relationship of a parent for one year or more, the person who bore the
43 expenses of the funeral of the decedent.

44 2. As used in this section, (a) "wound" means a physical injury to a
45 servicemember on active duty caused by (i) a bullet, shrapnel, or other
46 projectile; (ii) a mine or trap; (iii) an explosion; (iv) a vehicle or
47 aircraft accident not caused by the servicemember's willful misconduct;
48 or (v) any other action caused or induced by the enemy directly result-
49 ing in physical harm to the servicemember.

50 (b) "burial receptacle" means (i) a casket, which shall mean a rigid
51 container that is designed for the encasement of human remains and
52 customarily ornamented and lined with fabric, (ii) an urn, which shall
53 mean a container of wood, metal, pottery, or other material designed for
54 the storage of cremated human remains, and/or (iii) an outer burial
55 receptacle, which shall mean a graveliner, burial vault, or other simi-
56 lar type of container for the placement of a casket or urn.

1 3. There is hereby established within the department a New York state
2 supplemental burial allowance for any member of the armed forces of the
3 United States who: (a) died in combat or duty subject to hostile fire or
4 imminent danger, as defined in 37 USC § 310 or died from a wound
5 incurred in combat or while serving on duty subject to hostile fire or
6 imminent danger, as defined in 37 USC § 310, other than the exceptions
7 noted in paragraphs (d), (e) and (f) of subdivision four of this
8 section, and (b) who was (i) a resident of New York state at the time of
9 his or her death or (ii) a nonresident of New York state at the time of
10 his or her death and a member of the New York Army National Guard or New
11 York Air National Guard at the time he or she entered title 10, United
12 States Code, federal active duty status during which period of service
13 he or she died.

14 4. (a) The purpose of the program is to administer and monitor a
15 supplemental allowance program to aid families of military personnel who
16 died in combat or duty subject to hostile fire or imminent danger, as
17 defined in 37 USC § 310, or died from a wound incurred in combat or duty
18 subject to hostile fire or imminent danger, as defined in 37 USC § 310,
19 with respect to expenses incurred in connection with the decedent's
20 funeral and the burial, burial receptacle, cremation, or other interment
21 of the decedent's remains.

22 (b) Eligible recipients under this program shall be those who bore the
23 cost of the decedent's funeral and burial, burial receptacle, cremation,
24 or other interment, in the following order of priority: (i) a surviving
25 spouse or domestic partner of the decedent; (ii) adult children of the
26 decedent, to include step-children and adopted children; (iii) parents
27 or grandparents of the decedent, and parents-in-law or grandparents-in-
28 law of the decedent; (iv) brothers or sisters of the decedent, to
29 include brothers or sisters adopted by the decedent's immediate family
30 and brothers or sisters with whom the decedent shares only one parent in
31 common, and brothers-in-law or sisters-in-law of the decedent; (v)
32 aunts, uncles, and first cousins of the decedent; and (vi) any other
33 relative. Any applicant convicted of making any false statement in the
34 application for the reimbursement shall be subject to the penalties
35 prescribed in the penal law.

36 (c) Such burial allowance is a partial reimbursement of an eligible
37 decedent's funeral and burial, burial receptacle, cremation or other
38 interment costs. The reimbursement is generally applicable to two compo-
39 nents: (i) funeral expenses, and (ii) expenses arising from the burial,
40 burial receptacle, cremation, or other interment of the decedent's
41 remains. Any allowance granted by the government of the United States,
42 pursuant to 38 U.S.C. §§2301, 2302, 2303, 2306, 2307 and 2308 or 10
43 U.S.C. § 1482, or by the decedent's state of residence in the case of an
44 allowance eligible pursuant to subparagraph (ii) of paragraph (b) of
45 subdivision three of this section, shall be first applied toward funeral
46 and burial, burial receptacle, cremation or other interment costs. The
47 state may award an allowance of up to six thousand dollars to cover any
48 remaining expenses.

49 (d) The state shall not award any funds from this allowance to reim-
50 burse any costs for the headstone, grave marker, or medallion of the
51 decedent.

52 (e) The state shall not grant supplemental burial allowance payments
53 for the funeral or the burial, burial receptacle, cremation, or other
54 interment of remains of any decedent whose relations received any
55 reimbursement from this allowance for any previous funeral or burial,

1 burial receptacle, cremation, or other interment of remains for this
2 same decedent.

3 (f) The state shall not grant supplemental burial allowance payments
4 for any person filing a completed application for such allowance with
5 the state later than: (i) two years after the applicant received final
6 written notice from the United States Department of Veterans Affairs
7 regarding an application for reimbursement of funeral or burial, burial
8 receptacle, cremation or other interment expenses pursuant to 38 U.S.C.
9 §§2301, 2302, 2303, 2306, 2307, or 2308, or 10 U.S.C. § 1482, or any
10 combination thereof; or (ii) two years after the expiration date of the
11 filing deadline to apply for reimbursement of funeral, burial, burial
12 receptacle, cremation or other interment expenses from the United States
13 Department of Veterans Affairs, as defined in 38 U.S.C. § 2304, if the
14 applicant never applied for reimbursement of funeral, burial, burial
15 receptacle, cremation or interment expenses from the United States
16 Department of Veterans Affairs. Any applications received subsequent to
17 these prescribed periods shall be denied as time-barred.

18 (g) Applicants shall furnish evidence of the decedent's military
19 service and relevant after action reports or other documents explaining
20 why the application meets eligibility requirements for each case in the
21 manner and form prescribed by the state commissioner or his or her
22 designee. Upon being satisfied that the facts in the application are
23 true, the state commissioner or his or her designee shall certify to the
24 state comptroller the name and address of such recipient. The decision
25 of the state commissioner or his or her designee on all matters regard-
26 ing any payment from this allowance shall be final.

27 (h) The state commissioner shall submit a report to the governor, the
28 chairperson of the senate finance committee, and the chairperson of the
29 assembly ways and means committee not later than January fifteenth of
30 each year in which this section is in effect. Such report shall include,
31 but not be limited to, regulations promulgated pursuant to this section,
32 allowances paid, and an account of the monies spent and the relationship
33 of the distributees to the decedent.

34 § 9. New York state veteran burial fund. 1. As used in this section,
35 "agent in control of the disposition of remains" means the person
36 responsible or designated to control the disposition of a deceased
37 veteran's remains as defined and outlined in section forty-two hundred
38 one of the public health law. The term "interment" means the disposition
39 of remains as defined in paragraph (g) of section fifteen hundred two of
40 the not-for-profit corporation law. The term "burial" shall include the
41 process as defined in paragraph (e) of section fifteen hundred two of
42 the not-for-profit corporation law.

43 2. As provided in subdivision nineteen of section four of this arti-
44 cle, there is hereby established within the department a New York state
45 veterans burial fund for honorably discharged members of the armed forc-
46 es of the United States who were residents of New York state at the time
47 of his or her death who (i) were honorably discharged from such service,
48 or (ii) had a qualifying condition, as defined in section one of this
49 article, and received a discharge other than bad conduct or dishonorable
50 from such service, or (iii) were discharged LGBT veterans, as defined in
51 section one of this article, and received a discharge other than bad
52 conduct or dishonorable from such service.

53 (a) Eligible recipients under this program shall be those who bore the
54 cost of the funeral as the agent in control of the disposition of
55 remains. An application shall be made available to an eligible recipi-
56 ent. Any applicant convicted of making any false statement in the appli-

1 cation for the reimbursement shall be subject to the penalties
2 prescribed in the penal law.

3 (b) Such optional burial allowance is a reimbursement of an eligible
4 decedent's burial and interment costs not to exceed two thousand five
5 hundred dollars in a New York state not-for-profit cemetery. The
6 reimbursement is generally available as a plot interment allowance. Any
7 allowance granted by the government of the United States, pursuant to 38
8 U.S.C. §§ 2302, 2303, 2306, 2307 and 2308 or 10 U.S.C. § 1482 shall be
9 first applied toward interment costs. An additional allowance of up to
10 the cost of the actual burial and interment as provided under subdivi-
11 sion nineteen of section four of this article may be awarded to cover
12 any remaining expenses.

13 (c) Evidence of the military service of the decedent for each case
14 shall be furnished in the manner and form prescribed by the state direc-
15 tor; upon being satisfied that the facts in the application are true,
16 the state commissioner shall certify to the state comptroller the name
17 and address of such agent in control of the disposition of remains for
18 reimbursement as provided in this section.

19 § 10. Time within which marriage may be solemnized; member of the
20 armed forces. Notwithstanding section thirteen-b of the domestic
21 relations law, where either of the parties making application for a
22 marriage license, pursuant to section thirteen of the domestic relations
23 law, is a member of the armed forces of the United States on active duty
24 the marriage of the parties shall not be solemnized within twenty-four
25 hours after the issuance of the marriage license, nor shall it be solem-
26 nized after one hundred eighty days from the date of the issuance of the
27 marriage license. Proof that the applicant is a member of the armed
28 forces of the United States shall be furnished to the satisfaction of
29 the official issuing the marriage license. Every license to marry issued
30 pursuant to the provisions of this section shall state the day and hour
31 the license is issued and shall contain a recital that it is issued
32 pursuant to the provisions of this section.

33 § 11. Use of personal confidential information obtained from veterans
34 or family members of veterans receiving services from the state and
35 political subdivisions thereof. 1. Departments, divisions, bureaus,
36 boards, commissions and agencies of the state and political subdivisions
37 thereof, which provide assistance, treatment, counseling, care, super-
38 vision or custody in service areas involving health, mental health,
39 family services, criminal justice or employment shall be required to
40 solicit information on whether their customer or client is a veteran as
41 defined in section eighty-five of the civil service law or family member
42 of a veteran. Any new forms created after the effective date of this
43 section shall contain the following questions: "Have you served in the
44 United States Armed Forces?" "Has someone in your family served in the
45 United States military?"

46 2. Individuals identifying themselves as having served in the military
47 or a family member shall be advised that the department of veterans'
48 services and local veterans service agencies established pursuant to
49 section seventeen of this article provide assistance to veterans regard-
50 ing benefits under federal and state law. Information regarding veterans
51 and military status provided by assisted persons solely to implement
52 this section shall be protected as personal confidential material, and
53 used only to assist in the diagnosis, treatment, assessment and handling
54 of the veteran's or family member's problems within the agency request-
55 ing such information and in referring the veteran or family member to

1 the department of veterans' services for the information and assistance
2 with regard to benefits and entitlements under federal and state law.

3 § 12. Acceptance of gifts. The department with the approval of the
4 governor, may accept any gift or grant for any of the purposes of this
5 article. Any moneys so received may be expended by the department to
6 effectuate any of the purposes of this article, subject to the same
7 limitations as to authorization, audit and approval as are prescribed
8 for state moneys appropriated for the purposes of this article.

9 § 13. State veterans' service agency. 1. A state veterans' service
10 agency established by the department pursuant to this article shall have
11 power and it shall be its duty to inform military and naval authorities
12 of the United States and assist members of the armed forces and veter-
13 ans, who are residents of this state, and their families, in relation to
14 (1) matters pertaining to educational training and retraining services
15 and facilities, (2) health, medical and rehabilitation services and
16 facilities, (3) provisions of federal, state and local laws and regu-
17 lations affording special rights and privileges to members of the armed
18 forces and war veterans and their families, (4) employment and re-em-
19 ployment services, and (5) other matters of similar, related or appro-
20 priate nature. The state veterans' service agency also shall perform
21 such other duties as may be assigned by the state commissioner.

22 2. The state commissioner may, with the approval of the governor,
23 appoint and remove a director of the state veterans' service agency. The
24 state commissioner may from time to time establish, alter or abolish
25 state veterans' service agency districts within the state, establish or
26 abolish offices therefor, and appoint and at pleasure remove a deputy
27 director of the state veterans' service agency for each such district
28 office. With the approval of the state commissioner, the director of the
29 veterans' service agency may appoint such officers, consultants, clerks
30 and other employees as may be necessary to administer the functions of
31 the state veterans' service agency, fix their compensation within the
32 limitation provided by law, and prescribe their duties.

33 § 14. Local veterans' service agencies. 1. County veterans' service
34 agencies. There shall be established a county veterans' service agency
35 in each county not wholly included within a city, and there shall be a
36 county director of each county veterans' service agency. Any county
37 director hired after the effective date of this chapter shall be a
38 veteran as defined in New York state statute. The chair of the board of
39 supervisors of a county, with the approval of the board of supervisors,
40 shall appoint and may at pleasure remove a county director of the county
41 veterans' service agency for such county. In a county having a county
42 president, a county executive or other chief executive officer, such
43 president or executive officer shall appoint and may at pleasure remove
44 a county director. The county director may be paid such compensation as
45 shall be fixed by the appointing officer and the board of supervisors.
46 The county director shall appoint such assistants and employees as he or
47 she may deem necessary, other than those, if any, supplied by the state;
48 he or she may prescribe the duties of those appointed by him or her and
49 fix their salaries within the appropriations made available for that
50 purpose by the county and may at pleasure remove any such assistants or
51 employees. The county director shall have jurisdiction throughout the
52 territorial limits of the county, including any city therein which does
53 not have a city veterans' service agency, provided that after the estab-
54 lishment of a city veterans' service agency in any such city, the county
55 director shall not have jurisdiction within such city.

1 2. City veterans' service agency. There may be established a city
2 veterans' service agency in each city; and there shall be a city direc-
3 tor of each city veterans' service agency which is established. The
4 mayor of such city, or the city manager in a city of less than one
5 hundred forty thousand population having a city manager, shall appoint
6 and may at pleasure remove the city director. A city director may be
7 paid such compensation as shall be fixed by the mayor or city manager,
8 as the case may be, empowered to appoint the city director, and the
9 governing body of the city. The city director may appoint such deputies,
10 assistants and employees as he or she may deem necessary other than
11 those, if any, supplied by the state; the director may prescribe the
12 duties of those appointed by him or her and fix their salaries within
13 the appropriations made available for that purpose by the city and may
14 at pleasure remove any such assistant or employee. A city director
15 shall have jurisdiction throughout the territorial limits of the city.

16 3. Accreditation. (a) Current county or city directors within three
17 years from the effective date of this subdivision shall take all steps
18 necessary to be accredited as a veterans service organization (VSO)
19 representative. Accreditation shall mean the authority granted by the
20 United States Department of Veterans Affairs to assist veterans and
21 their family members in the preparation, presentation, and prosecution
22 of claims for benefits pursuant to section 5902 of Title 38 U.S.C. and
23 section 14.628 of Title 38 Code of Federal Regulations. Once an appli-
24 cation for accreditation is approved by the General Counsel of the
25 United States Department of Veterans Affairs and the applicant is noti-
26 fied of this action, the director of the county or city veterans service
27 agency shall file a copy of the accreditation certificate from the
28 appropriate veterans service organization with the commissioner of the
29 department. Such accreditation shall be maintained during the duration
30 of his or her status as a commissioner of such county or city veterans
31 service agency. The commissioner of the department may determine that
32 satisfactory completion of a course or instruction on veterans' benefits
33 approved by the United States Department of Veterans Affairs and
34 conducted by the department may fulfill the requirements of this subdi-
35 vision.

36 (b) Any county or city director hired after the effective date of this
37 chapter shall take all steps necessary to be accredited as a veterans
38 service organization (VSO) representative within eighteen months of such
39 appointment. Accreditation shall mean the authority granted by the
40 United States Department of Veterans Affairs to assist veterans and
41 their family members in the preparation, presentation, and prosecution
42 of claims for benefits pursuant to section 5902 of Title 38 U.S.C. and
43 section 14.628 of Title 38 Code of Federal Regulations. Once an appli-
44 cation for accreditation is approved by the General Counsel of the
45 United States Department of Veterans Affairs and the applicant is noti-
46 fied of this action, the director of the county or city veterans service
47 agency shall file a copy of the accreditation certificate from the
48 appropriate veterans service organization with the commissioner of the
49 department. Such accreditation shall be maintained during the duration
50 of his or her status as a director of such county or city veterans
51 service agency. The commissioner of the department may determine that a
52 satisfactory completion of a course of instruction on veterans' benefits
53 approved by the United States Department of Veterans Affairs and
54 conducted by the department may fulfill the requirements of this subdi-
55 vision.

(c) During the time a director is working toward accreditation pursuant to paragraphs (a) and (b) of this subdivision, such individual may provide services to veterans and their family members as defined in section fifteen of this article other than the preparation, presentation, and prosecution of claims for benefits under federal statutes and regulations.

§ 15. Powers and duties of local veterans' service agencies. 1. A local veterans' service agency shall have power under the direction of the state veterans' service agency, and it shall be its duty to inform military and naval authorities of the United States and assist members of the armed forces and veterans, who are residents of this state, and their families, in relation to (1) matters pertaining to educational training and retraining services and facilities, (2) health, medical and rehabilitation services and facilities, (3) provisions of federal, state and local laws and regulations affording special rights and privileges to members of the armed forces and war veterans and their families, (4) employment and re-employment services, (5) the process of submitting an application for a discharge upgrade to the discharge upgrade advisory board, and (6) other matters of similar, related or appropriate nature. The local veterans' service agency may also assist families of members of the reserve components of the armed forces and the organized militia ordered into active duty to ensure that they are made aware of and are receiving all appropriate support available to them and are placed in contact with the agencies responsible for such support, including, but not limited to, the division of military and naval affairs and other state agencies responsible for providing such support. The local veterans' service agency also shall perform such other duties as may be assigned by the state commissioner.

2. A local veterans' service agency shall utilize, so far as possible, the services and facilities of existing officers, offices, departments, commissions, boards, bureaus, institutions and other agencies of the state and of the political subdivisions thereof and all such officers and agencies shall cooperate with and extend such services and facilities to the local veterans' service agency as it may require.

§ 16. Location and cost of local veterans' service agencies; deputy local directors. 1. A local director shall designate the location of the local and branch offices of the local veterans' service agency within his or her jurisdiction, which offices shall be open during convenient hours. The cost of maintenance and operation of a county veterans' service agency shall be a county charge and the cost of maintenance and operation of a city veterans' service agency shall be a city charge, excepting that the state commissioner with the approval of the veterans' services commission shall allot and pay, from state moneys made available to him or her for such purposes, to each county veterans' service agency and each city veterans' service agency, an amount equal to fifty per centum of its expenditures for maintenance and operation approved by the state commissioner, provided that in no event shall the amount allotted and paid for such approved expenditures incurred in any given year exceed (1) in the case of any county veterans' service agency in a county having a population of not more than one hundred thousand or in the case of any city veterans' service agency in a city having a population of not more than one hundred thousand, the sum of ten thousand dollars, nor (2) in the case of any county veterans' service agency in a county having a population in excess of one hundred thousand excluding the population of any city therein which has a city veterans' service agency, the sum of ten thousand dollars, and, in addition thereto, the

1 sum of five thousand dollars for each one hundred thousand, or major
2 portion thereof, of the population of the county in excess of one
3 hundred thousand excluding the population of any city therein which has
4 a city veterans' service agency, nor (3) in the case of any city veter-
5 ans' service agency in a city having a population in excess of one
6 hundred thousand, the sum of ten thousand dollars, and, in addition
7 thereto, the sum of five thousand dollars for each one hundred thousand,
8 or major portion thereof, of the population of the city in excess of one
9 hundred thousand. Such population shall be certified in the same manner
10 as provided by section fifty-four of the state finance law.

11 2. The head of a branch office of a local veterans' service agency
12 shall be a deputy local director of the local veterans' service agency
13 who shall be appointed by the local director of the county or city in
14 which the branch office is located with the approval of the governing
15 body which makes the appropriation for the maintenance of such branch
16 office; provided, however, that the head of a branch office of a local
17 veterans' service agency which operates in and for two or more adjoining
18 towns or adjoining villages in the same county, and hereinafter in this
19 article referred to as a consolidated branch office, shall be appointed
20 by the local director of the county in which the branch office is
21 located with the approval of the governing body of each town or village
22 which makes an appropriation for or toward the maintenance of such
23 branch office, and any town or village is authorized to enter into an
24 agreement with an adjoining town or an adjoining village in the same
25 county, respectively, or with two or more respective adjoining towns or
26 villages in the same county, providing for their joint undertaking to
27 appropriate and make available moneys for or toward the maintenance of
28 such a consolidated branch office.

29 § 17. Local veterans' service committees. The same authority which
30 appoints a local director shall appoint for each county and city veter-
31 ans' service agency a veterans' service committee to assist the local
32 director and shall appoint a chair thereof. Similar committees may be
33 appointed in each village and town where there is a deputy local direc-
34 tor by the mayor of such village and the supervisor of such town in
35 which the branch office of the deputy local director is located or in
36 which it operates. A similar committee may also be appointed in any city
37 in and for which there is not established a separate city veterans'
38 service agency, and in and for which there is a deputy local director
39 and a branch office of the county veterans' service agency; and such
40 appointment in any case shall be made by the city official authorized to
41 appoint a city director in the case of a separate city veterans' service
42 agency.

43 § 18. Appropriations for expenses and activities of local veterans'
44 service agencies. Each county and each city of the state in which is
45 established a county veterans' service agency or a city veterans'
46 service agency, as the case may be, is hereby authorized to appropriate
47 and make available to the veterans' service agency of such respective
48 county or city, such sums of money as it may deem necessary to defray
49 the expenses and activities of such agency, and the expenses and activ-
50 ities of such agencies are hereby declared to be proper county and city
51 purposes for which the moneys of the county or city may be expended.
52 Each city in and for which there is not established a separate city
53 veterans' service agency, and each village and town of the state is
54 hereby authorized to appropriate and make available to the deputy local
55 director heading the branch office in and for such city, village or
56 town, if any, of the county veterans' service agency having jurisdiction

1 within such city, village or town, such sums of money as it may deem
2 necessary to defray the salary, expenses and activities of the deputy
3 local director heading such branch office in and for such city, village
4 or town and his or her office, including the salaries of persons
5 employed in such office, and such salaries, expenses and activities are
6 hereby declared to be proper city, village and town purposes for which
7 the moneys of such cities, villages and towns may be expended. Each
8 village and town is also authorized to appropriate and make available to
9 the deputy local director heading the consolidated branch office, if
10 any, for such village or town and any adjoining village or villages, or
11 town or towns, as the case may be, of the county veterans' service agen-
12 cy having jurisdiction within such village or town, such sums of money
13 as it may determine to defray in part the salary, expenses and activ-
14 ities of the deputy local director heading such consolidated branch
15 office for such village or town and any adjoining village or villages or
16 town or towns, as the case may be, including the salaries of persons
17 employed in such consolidated branch office, and such salaries, expenses
18 and activities are hereby declared to be proper village and town
19 purposes for which the moneys of such villages and towns may be
20 expended.

21 § 19. Women veterans coordinator. 1. Definitions. (a) "Veteran" shall
22 have the same meaning as provided in subdivision one of section twenty-
23 two of this article.

24 (b) "Department" shall mean the state department of veterans'
25 services.

26 (c) "Women veterans coordinator" shall be a veteran.

27 2. Such women veterans coordinator shall be appointed by the commis-
28 sioner.

29 3. Establishment of women veterans coordinator. There is hereby estab-
30 lished within the department, a "women veterans coordinator" who shall
31 work under the direction of the commissioner and whose duties shall
32 include, but not be limited to, the:

33 (a) identification, development, planning, organization and coordi-
34 nation of all statewide programs and services to meet the needs of women
35 veterans;

36 (b) recommendation to the commissioner to ensure compliance with all
37 existing department policies and regulations pertaining to the needs of
38 women veterans on the state and federal level and make recommendations
39 regarding the improvement of benefits and services to women veterans;

40 (c) liaison between the department, the United States Department of
41 Veterans Affairs center for women veterans, the United States Department
42 of Veterans Affairs Advisory Committee on Women Veterans, state veterans
43 nursing homes, state agencies, community groups, advocates and other
44 veterans and military organizations and interested parties;

45 (d) advocating for all women veterans in the state;

46 (e) development and maintenance of a clearinghouse for information and
47 resources for women veterans;

48 (f) promote events and activities that recognize, educate and honor
49 women veterans, including but not limited to seminars required under
50 subdivision six of section four of this article, veteran human rights
51 conferences, veterans benefits and resources events, and veterans
52 cultural competence training;

53 (g) inclusion of the contributions women veterans have made on behalf
54 of the United States and this state on the department's official
55 website; and

(h) preparation of reports on topics including, but not limited to, the demographics of women veterans, the number of women veterans listed by county, and the unique needs of the women veterans population, to the extent such information is available, to the commissioner on the status of women veterans within New York state.

4. Reports. The women veterans coordinator shall submit a report to the commissioner each year after the effective date of this section. Such report shall include, but not be limited to, a description of the women veterans coordinator's activities for the calendar year and the programs developed pursuant to the provisions of this section. The commissioner shall submit the report or a synopsis of the report to the governor in accordance with the provisions of section four of this article.

§ 20. Creation of annuity. 1. Payment to veterans. a. Any veteran as defined in this article who has been or is hereafter classified by the New York State commission for the visually handicapped as a blind person as defined in section three of chapter four hundred fifteen of the laws of nineteen hundred thirteen, as amended, and continues to be a blind person within the meaning of that section, shall, upon application to the commissioner of the department of veterans' services, be paid out of the treasury of the state for such term as such veteran shall be entitled thereto under the provisions of this article, the sum of one thousand dollars annually, plus any applicable annual adjustment, as provided in this section.

b. The entitlement of any veteran to receive the annuity herein provided shall terminate upon his or her ceasing to continue to be a resident of and domiciled in the state, but such entitlement may be reinstated upon application to the commissioner of veterans' services, if such veteran shall thereafter resume his or her residence and domicile in the state.

c. The effective date of an award of the annuity to a veteran shall be the date of receipt of the application therefor by the commissioner of veterans' services, except that if the application is denied but is granted at a later date upon an application for reconsideration based upon new evidence, the effective date of the award of the annuity to a veteran shall be the date of receipt of the application for reconsideration by the commissioner of veterans' services.

2. Payment to widows and widowers of blind veterans. a. The unremarried spouse of a veteran who heretofore has died or the unremarried spouse of a veteran dying hereafter, such veteran being at the time of her or his death a recipient of, or eligible for, the benefits above provided, shall, upon application to the commissioner of veterans' services, also be paid out of the treasury of the state the sum of one thousand dollars annually, plus any applicable annual adjustment, for such term as such unremarried spouse shall be entitled thereto under the provisions of this article.

b. The entitlement of any widow or widower to receive the annuity herein provided shall terminate upon her or his death or re-marriage or upon her or his ceasing to continue to be a resident of and domiciled in the state of New York, but such entitlement may be reinstated upon application to the commissioner of veterans' services, if such widow or widower shall thereafter resume her or his residence and domicile in the state.

c. The effective date of an award of the annuity to a widow or widower shall be the day after the date of death of the veteran if the application therefor is received within one year from such date of death. If

1 the application is received after the expiration of the first year
2 following the date of the death of the veteran, the effective date of an
3 award of the annuity to a widow or widower shall be the date of receipt
4 of the application by the commissioner of veterans' services. If an
5 application is denied but is granted at a later date upon an application
6 for reconsideration based upon new evidence, the effective date of the
7 award of the annuity to a widow or widower shall be the date of receipt
8 of the application for reconsideration by the commissioner of veterans'
9 services.

10 3. Annual adjustment. Commencing in the year two thousand five, and
11 for each year thereafter, the amount of any annuity payable under this
12 section shall be the same amount as the annuity payable in the preceding
13 year plus a percentage adjustment equal to the annual percentage
14 increase, if any, for compensation and pension benefits administered by
15 the United States Department of Veterans' Affairs in the previous year.
16 Such percentage increase shall be rounded up to the next highest one-
17 tenth of one percent and shall not be less than one percent nor more
18 than four percent. Commencing in the year two thousand five, the direc-
19 tor of veterans' services, not later than February first of each year,
20 shall publish by any reasonable means the amount of the annuity as
21 adjusted payable under this section.

22 § 21. Evidence of entitlement. 1. The evidence of such service, blind-
23 ness, residence and domicile, or of such marriage, widowhood, residence
24 and domicile in each case shall be furnished in the manner and form
25 prescribed by the commissioner of veterans' services who shall examine
26 the same.

27 2. Upon being satisfied that such service was performed, that other
28 facts and statements in the application of such veteran or widow or
29 widower are true and that the said veteran has been classified by the
30 New York state commission for the visually handicapped as a blind
31 person, where such veteran is not receiving or not entitled to receive a
32 benefit from any existing retirement system to which the state is a
33 contributor, unless such veteran shall have become disabled by reason of
34 loss of sight, while engaged in employment entitling him or her to
35 receive a benefit from any existing retirement system to which the state
36 is a contributor, and as a result of such disability has retired from
37 such employment and is receiving or is entitled to receive a benefit
38 from such retirement system the commissioner of veterans' services shall
39 certify to the state comptroller the name and address of such veteran or
40 widow or widower.

41 3. Thereafter the department of taxation and finance, through the
42 division of finance, on the audit and warrant of the comptroller, shall
43 pay such veteran or widow or widower such sum as is authorized by the
44 provisions of this article in monthly installments for so long as such
45 veteran or widow or widower shall meet the requirements of this article.

46 § 22. Persons who may receive annuity. 1. a. The word "veteran," as
47 used in this article shall be taken to mean and include any person who
48 is a resident of the state of New York, and who (i) has been or may be
49 given an honorable, general or ordinary discharge or any other form of
50 release from such service, except a dishonorable discharge, a bad
51 conduct discharge, an undesirable discharge, a discharge without honor
52 or a discharge for the good of the service, or (ii) has a qualifying
53 condition, as defined in section one of this article, and has received a
54 discharge other than bad conduct or dishonorable from such service, or
55 (iii) is a discharged LGBT veteran, as defined in section one of this
56 article, and has received a discharge other than bad conduct or

1 dishonorable from such service, and who (iv) was a recipient of the
2 armed forces expeditionary medal, the navy expeditionary medal or the
3 marine corps expeditionary medal for participation in operations in
4 Lebanon from June first, nineteen hundred eighty-three to December
5 first, nineteen hundred eighty-seven, in Grenada from October twenty-
6 third, nineteen hundred eighty-three to November twenty-first, nineteen
7 hundred eighty-three, or in Panama from December twentieth, nineteen
8 hundred eighty-nine to January thirty-first, nineteen hundred ninety, or
9 (v) served on active duty for ninety days or more in the armed forces of
10 the United States during any one of the following wars or hostilities:
11 (1) in the Spanish-American war from the twenty-first day of April,
12 eighteen hundred ninety-eight to the eleventh day of April, eighteen
13 hundred ninety-nine, inclusive;
14 (2) in the Philippine insurrection or the China relief expedition from
15 the eleventh day of April, eighteen hundred ninety-nine to the fourth
16 day of July, nineteen hundred two, inclusive;
17 (3) in the Mexican border campaign from the ninth day of May, nineteen
18 hundred sixteen, to the fifth day of April, nineteen hundred seventeen,
19 inclusive;
20 (4) in World War I from the sixth day of April, nineteen hundred
21 seventeen to the eleventh day of November, nineteen hundred eighteen,
22 inclusive;
23 (5) in World War II from the seventh day of December, nineteen hundred
24 forty-one to the thirty-first day of December, nineteen hundred forty-
25 six, inclusive, or who was employed by the War Shipping Administration
26 or Office of Defense Transportation or their agents as a merchant seaman
27 documented by the United States Coast Guard or Department of Commerce,
28 or as a civil servant employed by the United States Army Transport
29 Service (later redesignated as the United States Army Transportation
30 Corps, Water Division) or the Naval Transportation Service; and who
31 served satisfactorily as a crew member during the period of armed
32 conflict, December seventh, nineteen hundred forty-one, to August
33 fifteenth, nineteen hundred forty-five, aboard merchant vessels in
34 oceangoing, i.e., foreign, intercoastal, or coastwise service as such
35 terms are defined under federal law (46 USCA 10301 & 10501) and further
36 to include "near foreign" voyages between the United States and Canada,
37 Mexico, or the West Indies via ocean routes, or public vessels in ocean-
38 going service or foreign waters and who has received a Certificate of
39 Release or Discharge from Active Duty and a discharge certificate, or an
40 Honorable Service Certificate/Report of Casualty, from the Department of
41 Defense, or who served as a United States civilian employed by the Amer-
42 ican Field Service and served overseas under United States Armies and
43 United States Army Groups in World War II during the period of armed
44 conflict, December seventh, nineteen hundred forty-one through May
45 eighth, nineteen hundred forty-five, and who (i) was discharged or
46 released therefrom under honorable conditions, or (ii) has a qualifying
47 condition, as defined in section one of this article, and has received a
48 discharge other than bad conduct or dishonorable from such service, or
49 (iii) is a discharged LGBT veteran, as defined in section one of this
50 article, and has received a discharge other than bad conduct or
51 dishonorable from such service, or who served as a United States civil-
52 ian Flight Crew and Aviation Ground Support Employee of Pan American
53 World Airways or one of its subsidiaries or its affiliates and served
54 overseas as a result of Pan American's contract with Air Transport
55 Command or Naval Air Transport Service during the period of armed
56 conflict, December fourteenth, nineteen hundred forty-one through August

1 fourteenth, nineteen hundred forty-five, and who (iv) was discharged or
2 released therefrom under honorable conditions, or (v) has a qualifying
3 condition, as defined in section one of this article, and has received a
4 discharge other than bad conduct or dishonorable from such service, or
5 (vi) is a discharged LGBT veteran, as defined in section one of this
6 article, and has received a discharge other than bad conduct or
7 dishonorable from such service;

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

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

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

16 b. The word "veteran" shall also mean any person who meets the other
17 requirements of paragraph a of this subdivision, who served on active
18 duty for less than ninety days, if he or she was discharged or released
19 from such service for a service-connected disability or who served for a
20 period of ninety consecutive days or more and such period began or ended
21 during any war or period of hostilities as defined in paragraph a of
22 this subdivision.

23 c. The term "active duty" as used in this article shall mean full time
24 duty in the armed forces, other than active duty for training; provided,
25 however, that "active duty" shall also include any period of active duty
26 for training during which the individual concerned was disabled or died
27 from a disease or injury incurred or aggravated during such period.

28 2. No annuity shall be paid under this article to or for a person who
29 is in prison in a federal, state or local penal institution as a result
30 of conviction of a felony or misdemeanor for any part of the period
31 beginning sixty-one days after his or her imprisonment begins and ending
32 when his or her imprisonment ends.

33 3. Where any veteran is disqualified for the annuity for any period
34 solely by reason of the provisions of subdivision two of this section,
35 the commissioner of veterans' services shall pay to his or her spouse,
36 if any, the annuity which such veteran would receive for that period but
37 for said subdivision two.

38 4. In case an unmarried, divorced or widowed veteran or a widow of a
39 deceased annuitant is being furnished hospital treatment, institutional
40 or domiciliary care by the United States or the state, the annuity paya-
41 ble under this article to such veteran or widow or widower may be
42 discontinued after the first day of the seventh calendar month following
43 the month of admission of such veteran or widow for treatment or care.
44 Payment of such annuity shall be resumed if such veteran or widow or
45 widower is discharged from the hospital, institution or home, or if his
46 or her treatment or care therein is otherwise terminated.

47 5. Where payment of the annuity as hereinbefore authorized is to be
48 made to a mentally incompetent person or a conservatee, such payment may
49 be authorized by the commissioner of veterans' services of the state to
50 be paid only to a duly qualified court-appointed committee or conserva-
51 tor, legally vested with the care of such incompetent's person or prop-
52 erty or of such conservatee's property, except that in the case of an
53 incompetent annuitant for whom a committee has not been appointed or a
54 person under a substantial impairment for whom a conservator has not
55 been appointed and who is hospitalized in a United States veterans
56 health administration hospital or in a hospital under the jurisdiction

1 of the state of New York, the commissioner of veterans' services of the
2 state may in his or her discretion certify payment of the annuity, as
3 hereinbefore authorized, to the manager of such United States veterans
4 health administration hospital or to the commissioner of such state
5 hospital for the account of the said incompetent or substantially
6 impaired annuitant.

7 § 23. New York state veterans' cemeteries. 1. Legislative intent. The
8 legislature finds and determines that the devoted service and sacrifice
9 of veterans deserve important, unique and eternal recognition by the
10 state of New York. That it is by means of the devoted service and sacri-
11 fice of veterans that the liberty, freedom and prosperity enjoyed by all
12 New Yorkers is maintained and preserved.

13 The legislature further finds and determines that to provide this
14 important, unique and eternal recognition, the state shall establish a
15 program of New York state veterans' cemeteries in New York. Such program
16 shall provide for the construction, establishment, expansion, improve-
17 ment, support, operation, maintenance and the provision of perpetual
18 care for state veterans' cemeteries in this state, and thereby for the
19 memorialization and remembrance of individual veterans and their service
20 to their community, state and nation.

21 The legislature additionally finds and determines that it is therefore
22 necessary to provide for the construction and establishment of one or
23 more New York state veterans' cemeteries, and that to thereafter,
24 provide for the expansion, improvement, support, operation, maintenance
25 and the provision of perpetual care of all such cemeteries so
26 constructed and established. The legislature also finds and determines
27 that it is appropriate to have the responsibility for the construction,
28 establishment, expansion, improvement, support, operation, maintenance
29 and the provision of perpetual care for veterans' cemeteries in this
30 state, to be under the oversight and direction of the state department
31 of veterans' services, and its commissioner, individually, and as chair
32 of the management board, for each such veterans' cemetery so constructed
33 and established.

34 2. The establishment of the first New York state veterans' cemetery.
35 (a) The commissioner shall issue, on behalf of the department, a public
36 request for information for any local government desiring to have the
37 first state veterans' cemetery located within its political subdivision.
38 Such request shall specify the type of information to be provided,
39 including, at a minimum, a detailed map of the site including potential
40 transportation routes, the history of the site, the types of burials the
41 site could accommodate, and the estimated number of veterans within a
42 seventy-five mile radius of the site. Such requests for information
43 shall be returnable to the department by no later than sixty days
44 following the issuance of the requests for information. Requests for
45 information issued by and returned to the department shall be publicly
46 available and posted on the department's website.

47 (a-1) Following the deadline for the return of requests for informa-
48 tion pursuant to paragraph (a) of this subdivision, the department, in
49 cooperation with the United States Department of Veterans Affairs, and
50 in consultation with, and upon the support of the department of state
51 division of cemeteries, is hereby directed to conduct an investigation
52 and study on the issue of the construction and establishment of the
53 first New York state veterans' cemetery. Such investigation and study
54 shall include, but not be limited to:

55 (i) Potential site locations for such cemetery, with full consider-
56 ation as to the needs of the veterans population; only locations within

1 local governments that have submitted a request for information pursuant
2 to paragraph (a) of this subdivision shall be considered and each such
3 submission shall be considered;

4 (ii) The size of the cemetery and types of grave sites;

5 (iii) The number of annual interments at the cemetery;

6 (iv) Transportation accessibility to the cemetery by veterans, their
7 families and the general public;

8 (v) Costs for construction of the cemetery;

9 (vi) Costs of operation of the cemetery, including but not limited to
10 staffing costs to maintain the cemetery;

11 (vii) Scalability of the cemetery for future growth and expansion;

12 (viii) Potential for funding for the cemetery from federal, local and
13 private sources;

14 (ix) Cost of maintenance;

15 (x) Data on the population that would be served by the site;

16 (xi) The average age of the population in the area covered;

17 (xii) The mortality rate of the veteran population for the area;

18 (xiii) Surrounding land use;

19 (xiv) Topography of the land;

20 (xv) Site characteristics;

21 (xvi) Cost of land acquisition;

22 (xvii) The location of existing cemeteries including but not limited
23 to national veterans' cemeteries, county veterans' cemeteries, ceme-
24 teries that have plots devoted to veterans, not-for-profit cemeteries
25 and any other burial ground devoted to veterans and any other type of
26 burial grounds devoted to the interment of human remains that is of
27 public record; and

28 (xviii) Such other and further items as the commissioner of the
29 department deems necessary for the first state veterans' cemetery to be
30 successful.

31 A report of the investigation and study conclusions shall be delivered
32 to the governor, the temporary president of the senate, the speaker of
33 the assembly and the chair of the senate committee on veterans, homeland
34 security and military affairs, and the chair of the assembly committee
35 on veterans' affairs by no later than one hundred eighty days after the
36 department has commenced the conduct of the investigation and study.

37 (a-2) Upon the completion of the investigation and study, the results
38 shall be provided to the selection committee. The selection committee
39 shall consist of nine members as follows:

40 (i) The commissioner of the department of veterans' services, or his
41 or her representative;

42 (ii) The director of the division of the budget, or his or her repre-
43 sentative;

44 (iii) Three members appointed by the governor, two of whom shall be
45 veterans;

46 (iv) Two members appointed by the temporary president of the senate,
47 at least one of whom shall be a veteran; and

48 (v) Two members appointed by the speaker of the assembly, at least one
49 of whom shall be a veteran.

50 (a-3) The selection committee shall be subject to articles six and
51 seven of the public officers law. The selection committee shall evaluate
52 the results of the study and, upon a majority vote, make a determination
53 as to the location of the first state veterans' cemetery. In making this
54 determination, the committee's consideration shall, at a minimum,
55 include:

56 (i) The findings established by the study;

1 (ii) The submitted responses to the requests for information issued
2 pursuant to paragraph (a) of this subdivision;

3 (iii) The guidelines for receipt of federal funding specified in 38
4 USC 2408, 38 CFR 39, and any other relevant federal statute or regu-
5 lation;

6 (iv) The possibility of funding from private individuals, corpo-
7 rations, or foundations; and

8 (v) Any other consideration that would facilitate the successful oper-
9 ation of the first state veterans' cemetery.

10 (b) The commissioner of the department, the commissioner of the office
11 of general services, and the chair of the division of cemeteries shall
12 determine the amount of money necessary to fund the non-reimbursable
13 costs of a state veterans' cemetery, such as operation and maintenance,
14 for a period of not less than ten years, provided that such amount shall
15 not include monies that would be recoverable by the cemetery pursuant to
16 a charge of fee for the provision of a gravesite for a non-veteran
17 spouse or eligible dependent. Prior to submitting any application for
18 funding from the government of the United States in accordance with the
19 grant requirements specified in 38 USC 2408, 38 CFR 30, and other rele-
20 vant federal statutes or regulations, for the purpose of seeking funds
21 to support the construction, establishment, expansion, improvement,
22 support, operation or maintenance of New York state's veterans' ceme-
23 teries, the director of the division of the budget and the office of the
24 state comptroller must certify to the governor, the temporary president
25 of the senate, the speaker of the assembly, the chair of the senate
26 finance committee and the chair of the assembly ways and means committee
27 that there are sufficient funds to cover such amount; provided further
28 that such moneys may include the veterans remembrance and cemetery main-
29 tenance and operation fund created pursuant to section ninety-seven-mmm
30 of the state finance law. In making such a certification, the director
31 of the division of the budget and the office of the state comptroller
32 shall consider, but are not limited to, the following factors:

33 (i) physical attributes of the veterans cemetery, including size,
34 location, and terrain;

35 (ii) staffing costs, cost of equipment and equipment maintenance, and
36 security costs;

37 (iii) relevant state and federal requirements and specifications for
38 interment and perpetual care;

39 (iv) estimates provided by the United States Department of Veterans
40 Affairs;

41 (v) any other non-reimbursable fiscal cost, charge or assessment that
42 would be incurred by the cemetery.

43 (c) Once the certification that there are sufficient funds pursuant to
44 paragraph (b) of this subdivision has been made, and no later than thir-
45 ty days following the selection of the site pursuant to paragraph (a-3)
46 of this subdivision, the commissioner, in consultation with the manage-
47 ment board of the first New York state veterans' cemetery, shall
48 commence the application process for funding from the government of the
49 United States, in accordance with the grant requirements specified in
50 section 2408 of title 38 of the United States code, part 39 of title 38
51 of the code of federal regulations, and any other relevant federal stat-
52 ute or regulation, for the purpose of seeking funds to support the
53 construction, establishment, expansion, improvement, support, operation,
54 maintenance and the provision of perpetual care of New York state's
55 first veterans' cemetery. Such grant application shall be based on a
56 site selected pursuant to paragraph (a-3) of this subdivision, and shall

1 be consistent with the guidelines for receipt of federal funding pursu-
2 ant to the relevant provisions of federal law.

3 (d) A management board for the first New York state veterans' cemetery
4 shall be appointed pursuant to subdivision three of this section.

5 (e) The commissioner shall promulgate rules and regulations governing:

6 (i) The guidelines and standards for the construction, establishment,
7 expansion, improvement, support, operation, maintenance and the
8 provision of perpetual care for a state veterans' cemetery. Such guide-
9 lines shall include, but not be limited to:

10 (1) The size and terrain of the cemetery;

11 (2) The management and operation of the cemetery, including but not
12 limited to:

13 (A) Hours of operation;

14 (B) Employees, employee relations, and employee duties;

15 (C) The conduct and practice of events, ceremonies and programs;

16 (D) The filing and compliance of the cemetery with state and federal
17 regulators; and

18 (E) Such other and further operational and management practices and
19 procedures as the commissioner shall determine to be necessary for the
20 successful operation of a state veterans' cemetery.

21 (3) The layout of plots;

22 (4) The locations of building and infrastructure, including but not
23 limited to:

24 (A) Electrical lines and facilities;

25 (B) Waterlines, irrigation systems, and drainage facilities;

26 (C) Trees, flowers and other plantings;

27 (D) Non gravesite memorials, gravesite memorials, mausoleums, colum-
28 barium niches, headstones, grave markers, indoor interment facilities,
29 committal-service shelters, signage, flag poles, and other memorial
30 gathering spaces or infrastructure;

31 (E) Roadways, pedestrian pathways, parking sites, curbs and curb cuts;

32 (F) Ponds, lakes and other water sites;

33 (G) Retaining walls, gates, fences, security systems or other devices
34 for cemetery protection; and

35 (H) Any other buildings, structures or infrastructure necessary for
36 the safe, efficient and effective operation of the cemetery;

37 (5) The qualifications for interment, consistent with the provisions
38 of state and federal law and any requirements pursuant to the receipt of
39 federal, state, local or private funds;

40 (6) The location and placement of interments;

41 (7) Consistent with the provisions of state and federal law and any
42 requirements pursuant to the receipt of federal, state, local or private
43 funds, the financial management of the cemetery, including but not
44 limited to:

45 (A) The procedures for the protection and implementation of the ceme-
46 tery's annual budget;

47 (B) The seeking, collecting, deposit and expenditure of operating
48 funds pursuant to the cemetery's budget;

49 (C) The seeking, collecting, deposit and expenditure of capital funds
50 pursuant to the cemetery's capital plan;

51 (D) The seeking, collecting, deposit and expenditure of emergency
52 funds to address an unexpected event;

53 (E) The assessment, charging, collection and deposit of fees and
54 charges;

55 (F) The management of cemetery finances, both current and future, with
56 respect to investments; and

1 (G) Such other and further procedures and activities concerning the
2 financial management of the cemetery;

3 (8) The provision of perpetual care for the cemetery, including but
4 not limited to:

5 (A) The frequency, standards and methods for the beautification and
6 maintenance of grounds, memorials, gravesites, buildings, ceremonial
7 sites, or other locations within, or upon the curtilage of the cemetery;

8 (B) The frequency, standards and methods for the provision of flags,
9 patriotic and military symbols, and other honorary items, at each
10 gravesite and throughout the cemetery; and

11 (C) Such other and further standards as are necessary to assure the
12 proper perpetual care of the cemetery in a manner befitting the highest
13 level of honor and respect deserving to those veterans and their fami-
14 lies interred in the cemetery;

15 (9) Guidelines and standards for the procurement of land for the ceme-
16 tery providing that the state veterans' cemetery, and all the property
17 upon which it resides shall be owned in fee simple absolute by the state
18 of New York;

19 (10) Guidelines and standards for the practices and procedures for the
20 construction and establishment of a state veterans' cemetery, including
21 contracting and purchasing for construction services, professional
22 services, legal services, architectural services, consulting services,
23 as well as the procurement of materials, all consistent with the rele-
24 vant provisions of federal, state and local law, the regulations promul-
25 gated thereunder, and the requirements contained in the grants awarded
26 or pursued from the federal government, or any source of private fund-
27 ing;

28 (11) Guidelines and standards for the practices and procedures for the
29 expansion and improvement of a state veterans' cemetery, including
30 contracting and purchasing for construction services, professional
31 services, legal services, architectural services, consulting services,
32 as well as the procurement of materials, all consistent with the rele-
33 vant provisions of federal, state and local law, the regulations promul-
34 gated thereunder, and the requirements contained in the grants awarded
35 or pursued from the federal government, or any source of private fund-
36 ing;

37 (12) Any other guidelines and standards that would facilitate the
38 successful construction, establishment, expansion, improvement, support,
39 operation, maintenance and the provision of perpetual care for the state
40 veterans' cemetery;

41 (ii) Guidelines and standards for any local government desiring to
42 have the first state veterans' cemetery located within its political
43 subdivision, including, but not limited to:

44 (1) The requirement that the local government will comply with all
45 state and federal statutes and regulations concerning the construction,
46 establishment, expansion, improvement, support, operation, maintenance
47 and the provision of perpetual care of the state veterans' cemetery, and
48 shall satisfy any and all applicable state and federal standards and
49 requirements for the perpetual care of the state veterans' cemetery;

50 (2) That the state veterans' cemetery, and all the property upon which
51 it resides shall be owned in fee simple absolute by the state of New
52 York;

53 (3) That all lands upon which such cemetery is constructed and estab-
54 lished shall be used solely for state veterans' cemetery purposes, and
55 for the purpose of providing the honor and remembrance of veterans and
56 their service through ceremonies and programs;

(4) Such other and further requirements as the commissioner may deem prudent in the facilitation of the successful siting and operation of a state veterans' cemetery in the jurisdiction of the local government; and

(iii) Such other and further guidelines and standards as are necessary for the successful construction, establishment, expansion, improvement, support, operation, maintenance and the provision of perpetual care for a state veterans' cemetery.

(f) Upon the approval of the application for funding from the government of the United States, made pursuant to paragraph (c) of this subdivision, the commissioner, upon consultation with the management board, shall commence the process of construction and establishment of the first state veterans' cemetery. Such process shall be consistent with the relevant provisions of local, state and federal law, and the rules and regulations established pursuant to paragraph (e) of this subdivision.

3. Management boards of New York state veterans' cemeteries. (a) For each New York state veterans' cemetery there shall be a management board. Each such management board shall consist of nine members, including the commissioner of the department who shall serve as chair, and four members, appointed by the governor. Of such four members, not fewer than two shall be a veteran of the United States army, the United States navy, the United States air force, the United States marines, the New York army national guard, the New York air national guard, the New York naval militia, or a member who has served in a theater of combat operations of the United States coast guard or the United States merchant marine. Two members shall be appointed by the temporary president of the senate, and two members shall be appointed by the speaker of the state assembly. At least one of the members appointed by the temporary president of the senate and at least one of the members appointed by the speaker of the assembly shall be a veteran of the United States army, the United States navy, the United States air force, the United States marines, the New York army national guard, the New York air national guard, the New York naval militia, or a member who has served in a theater of combat operations of the United States coast guard or the United States merchant marine. No member shall receive any compensation for his or her service, but members who are not state officials may be reimbursed for their actual and necessary expenses, including travel expenses incurred in performance of their duties. The management board may consult with any federal, state or local entity for the purposes of advancing its purposes, mission and duties.

(b) The management board shall advise, by majority vote, the commissioner on issues concerning the construction, establishment, expansion, improvement, support, operation, maintenance and the provision of perpetual care for the veterans' cemetery, including but not limited to issues of financial concern, employment relations, cemetery policy, cemetery events and programs, and such other and further issues as the board and commissioner shall deem important.

4. Additional state veterans' cemeteries. (a) Not later than ten years after the construction and establishment of the first New York state veterans' cemetery, and every ten years thereafter, the department, in cooperation with the United States Department of Veterans Affairs, shall conduct an investigation and study on the issue of the construction and establishment of additional New York state veterans' cemeteries. Such investigation and study shall consider, but not be limited to, the study parameters established pursuant to paragraph (a) of subdivision two of

1 this section. A report of the investigation and study required to be
2 conducted pursuant to this subdivision shall be delivered to the gover-
3 nor, the temporary president of the senate, the speaker of the assembly
4 and the chair of the senate committee on veterans, homeland security and
5 military affairs, and the chair of the assembly committee on veterans'
6 affairs, by no later than ninety days after the department has commenced
7 the conduct of the investigation and study;

8 (b) The report of the investigation and study required to be conducted
9 pursuant to this subdivision shall provide a determination by the direc-
10 tor as to whether the state should construct and establish one or more
11 additional veterans' cemeteries, and shall state the reasoning and basis
12 for such determination; and

13 (c) The department may, at the discretion of the commissioner, at any
14 time after five years from the completion of construction of the most
15 recently constructed and established state veterans' cemetery, in coop-
16 eration with the United States Department of Veterans Affairs, conduct
17 an investigation and study on the issue of the construction and estab-
18 lishment of additional New York state veterans' cemeteries. A report of
19 the investigation and study required to be conducted shall be delivered
20 to the governor, the temporary president of the senate, the speaker of
21 the assembly and the chair of the senate committee on veterans, homeland
22 security and military affairs, and the chair of the assembly committee
23 on veterans' affairs, by no later than ninety days after the department
24 has commenced the conduct of the investigation and study.

25 (d) If the commissioner, pursuant to the investigation and study
26 conducted pursuant to this subdivision, determines that there shall be
27 an additional state veterans' cemetery in New York state, the commis-
28 sioner shall provide for the construction and establishment of such new
29 veterans' cemetery pursuant to the same guidelines and standards for the
30 construction and establishment of the first state veterans' cemetery
31 under this section.

32 5. Expansion and improvement of existing state veterans' cemeteries.
33 The commissioner, in consultation with the management board of a state
34 veterans' cemetery, may provide for the expansion and/or improvement of
35 the cemetery. Such expansion and improvement shall be conducted in
36 accordance with the rules and regulations of the department under para-
37 graph (e) of subdivision two of this section.

38 § 24. Veterans health screening. 1. As used in this section: a.
39 "Eligible member" means a member of the New York army national guard or
40 the New York air national guard who served in the Persian Gulf War, as
41 defined in 38 USC 101, or in an area designated as a combat zone by the
42 president of the United States during Operation Enduring Freedom or
43 Operation Iraqi Freedom;

44 b. "Veteran" means a person, male or female, resident of this state,
45 who has served in the active military, naval or air service of the
46 United States during a time of war in which the United States engaged
47 and who has been released from such service otherwise than by dishonor-
48 able discharge, or who has been furloughed to the reserve;

49 c. "Military physician" includes a physician who is under contract
50 with the United States department of defense to provide physician
51 services to members of the armed forces; and

52 d. "Depleted uranium" means uranium containing less uranium-235 than
53 the naturally occurring distribution of uranium isotopes.

54 2. On and after February first, two thousand seven, the adjutant
55 general and the state commissioner shall assist any eligible member or
56 veteran who has been experiencing health problems. Such problems may

1 include exposure to toxic materials or harmful physical agents such as
2 depleted uranium. An eligible member or veteran who has been assigned a
3 risk level I, II or III for depleted uranium exposure by his or her
4 branch of service, is referred by a military physician, or has reason to
5 believe that he or she was exposed to toxic materials or harmful phys-
6 ical agents such as depleted uranium during such service, in obtaining
7 federal treatment services. Such treatment shall include, but not be
8 limited to, a best practice health screening test for exposure to
9 depleted uranium using a bioassay procedure involving sensitive methods
10 capable of detecting depleted uranium at low levels and the use of
11 equipment with the capacity to discriminate between different radioiso-
12 topes in naturally occurring levels of uranium and the characteristic
13 ratio and marker for depleted uranium. As more scientific reliable tests
14 become available such test shall be included in the treatment protocol.
15 No state funds shall be used to pay for such tests or such other federal
16 treatment services.

17 3. On or before February first, two thousand seven, the adjutant
18 general shall submit a report to the chair of the senate veterans, home-
19 land security and military affairs committee and the chair of the assem-
20 bly veterans' affairs committee on the scope and adequacy of training
21 received by members of the New York army national guard and the New York
22 air national guard on detecting whether their service as eligible
23 members is likely to entail, or to have entailed, exposure to toxic
24 materials or harmful physical agents such as depleted uranium. The
25 report shall include an assessment of the feasibility and cost of adding
26 predeployment training concerning potential exposure to depleted uranium
27 and other toxic chemical substances and the precautions recommended
28 under combat and noncombat conditions while in a combat theater or
29 combat zone of operations.

30 § 25. Payment to parents of veterans. 1. Annuity established. (a) A
31 parent, identified in 10 USC 1126 as a gold star parent, of a veteran
32 who heretofore has died or a parent of a veteran dying hereafter, shall
33 upon application to the state commissioner, be paid an annual annuity
34 out of the treasury of the state for the sum of five hundred dollars for
35 such term as such parent shall be entitled thereto under the provisions
36 of this article. Commencing in the year two thousand nineteen, the
37 amount of any annuity payable under this section shall be the same
38 amount as the annuity payable in the preceding year plus a percentage
39 adjustment equal to the annual percentage increase, if any, for compen-
40 sation and pension benefits administered by the United States Department
41 of Veterans Affairs in the previous year. Such percentage increase shall
42 be rounded up to the next highest one-tenth of one percent and shall not
43 be less than one percent nor more than four percent. The commissioner of
44 veterans' services, not later than February first of each year, shall
45 publish by any reasonable means, including but not limited to posting on
46 the department's website, the amount of the annuity as adjusted payable
47 under this section. The term "parent" for the purposes of this section
48 includes mother, father, stepmother, stepfather, mother through adoption
49 and father through adoption.

50 (b) The entitlement of any parent to receive the annuity provided by
51 paragraph (a) of this subdivision shall terminate upon his or her death
52 or upon his or her ceasing to continue to be a resident of and domiciled
53 in the state of New York, but such entitlement may be reinstated upon
54 application to the state commissioner, if such parent shall thereafter
55 resume his or her residence and domicile in the state.

(c) The effective date of an award of the annuity to a parent shall be the day after the date of death of the veteran if the application therefor is received within one year from date of death. If the application is received after the expiration of the first year following the date of the death of the veteran, the effective date of an award of the annuity to a parent shall be the date of receipt of the application by the state commissioner. If the application is denied but is granted at a later date upon an application for reconsideration based upon new evidence, the effective date of the award of the annuity to a parent shall be the date of the receipt of the application for reconsideration by the state commissioner.

(d) Any applicant convicted of making any false statement in the application for the annuity shall be subject to penalties prescribed in the penal law.

2. Qualifications. (a) Any gold star parent, who is the parent of a deceased veteran, and who is a resident of and domiciled in the state of New York, shall make application to the department.

(b) No entitlement shall be paid under this section to or for a gold star parent who is in prison in a federal, state, or local penal institution as a result of conviction of a felony or misdemeanor for any part of the period beginning sixty-one days after his or her imprisonment begins and ending with his or her release.

(c) Where one or more gold star parents are disqualified for the annuity for a period under paragraph (b) of this subdivision, the state commissioner shall pay the shares of such disqualified parents to the other parents, if they meet the qualifications on their own.

(d) The decision of the state commissioner on matters regarding the payment of such annuity shall be final.

3. Method of payment. (a) Evidence of the military service of the deceased veteran of the gold star parent for each case shall be furnished in the manner and form prescribed by the state commissioner.

(b) Upon being satisfied that such service was honorable, that other facts and statements in the application of such gold star parent are true, the state commissioner shall certify to the state comptroller the name and address of such gold star parent.

(c) Thereafter, the department of taxation and finance, on the audit and warrant of the comptroller, shall pay such gold star parent such sum as is authorized by the provisions of this section in semi-annual installments for so long as such qualified gold star parent shall meet the requirements of this section.

4. Report. The state commissioner shall submit a report to the governor, the chair of the senate finance committee, and the chair of the assembly ways and means committee not later than January fifteenth of each year this section is in effect. Such report shall include, but not be limited to regulations promulgated pursuant to this section, and a description and evaluation of the program.

§ 26. Cremated remains of a veteran. The cremated remains of a veteran may be disposed of pursuant to the provisions of section forty-two hundred three of the public health law.

§ 27. New York state silver rose veterans service certificate. The commissioner, in consultation with 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 "New York State Silver Rose Veterans Service Certificate", bearing a suitable inscription to any person:

1. who is a citizen of the state of New York; or

2. who was a citizen of the state of New York while serving in the armed forces of the United States, and who while serving in the armed forces of the United States, or the organized militia on active duty was exposed to dioxin or phenoxy herbicides, as evinced by a medical diagnosis of a disease associated with dioxin or phenoxy herbicides, and any other proof determined by the adjutant general to be necessary; or

3. who was honorably discharged or released under honorable circumstances.

Not more than one New York state silver rose veterans certificates shall be awarded or presented, under the provisions of this section, to any person whose entire service subsequent to the time of the receipt of such certificate shall not have been honorable. In the event of the death of any person during or subsequent to the receipt of such certificate it shall be presented to such representative of the deceased as may be designated. The commissioner, in consultation with the adjutant general, shall make such rules and regulations as may be deemed necessary for the proper presentation and distribution of such certificates.

ARTICLE 2

VETERANS EMPLOYMENT ACT

Section 30. Short title.

31. Legislative findings.

32. Definitions.

33. Temporary hiring.

34. Department of civil services responsibilities.

35. Regulations.

§ 30. Short title. This article shall be known and may be cited as the "veterans employment act".

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

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

The legislature declares it to be the policy of this state to use veterans for temporary appointments in state agencies rather than utilizing temporary employment service companies in order to provide employment opportunities for returning military veterans.

§ 32. Definitions. As used in this article:

1. "State agency" shall mean any department, board, bureau, division, commission, council or committee within the executive branch, the state

1 university of New York, the city university of New York, and all public
2 authorities under the control of the executive branch.

3 2. "Temporary appointment" shall have the same meaning as provided in
4 section sixty-four of the civil service law.

5 3. "Veteran" shall mean an individual who served on active duty in the
6 United States army, navy, marine corps, air force, coast guard or the
7 reserves component, or who served in active military service of the
8 United States as a member of the army national guard, air national
9 guard, New York guard or New York naval militia, who was released from
10 such service otherwise than by dishonorable discharge after September
11 eleventh, two thousand one.

12 4. "Veteran temporary hiring list" shall mean a hiring list maintained
13 by the department of civil service.

14 § 33. Temporary hiring. Notwithstanding any provision of law to the
15 contrary, a state agency shall select a veteran from the veteran tempo-
16 rary hiring list when making a temporary appointment provided such
17 veteran possesses the applicable skills needed for the temporary assign-
18 ment.

19 § 34. Department of civil services responsibilities. The department of
20 civil service shall:

21 1. establish and maintain a veteran temporary hiring list, for use by
22 state agencies in the implementation of this article;

23 2. assist state agencies by making available services of the depart-
24 ment of civil service to facilitate the provisions of this article; and

25 3. establish and maintain, together with the commissioner of the
26 department of veterans' services, a program to educate separating
27 service members as to the benefits available to veterans under this
28 article.

29 § 35. Regulations. The president of the state civil service commission
30 shall promulgate such rules and regulations as shall be necessary to
31 implement the provisions of this article.

32 ARTICLE 3

33 PARTICIPATION BY SERVICE-DISABLED VETERANS WITH RESPECT TO 34 STATE CONTRACTS

35 Section 40. Definitions.

36 41. Division of service-disabled veterans' business development.

37 42. Opportunities for certified service-disabled veteran-owned
38 business enterprises.

39 43. Severability.

40 § 40. Definitions. As used in this article, the following terms shall
41 have the following meanings:

42 1. "Certified service-disabled veteran-owned business enterprise"
43 shall mean a business enterprise, including a sole proprietorship, part-
44 nership, limited liability company or corporation that is:

45 (a) at least fifty-one percent owned by one or more service-disabled
46 veterans;

47 (b) an enterprise in which such service-disabled veteran ownership is
48 real, substantial, and continuing;

49 (c) an enterprise in which such service-disabled veteran ownership has
50 and exercises the authority to control independently the day-to-day
51 business decisions of the enterprise;

52 (d) an enterprise authorized to do business in this state and is inde-
53 pendently-owned and operated;

54 (e) an enterprise that is a small business which has a significant
55 business presence in the state, not dominant in its field and employs,

1 based on its industry, a certain number of persons as determined by the
2 director, but not to exceed three hundred, taking into consideration
3 factors which include, but are not limited to, federal small business
4 administration standards pursuant to 13 CFR part 121 and any amendments
5 thereto; and

6 (f) certified by the office of general services.

7 2. "Commissioner" shall mean the commissioner of the office of general
8 services.

9 3. "Director" shall mean the director of the division of service-disa-
10 bled veterans' business development.

11 4. "Division" shall mean the division of service-disabled veterans'
12 business development in the office of general services.

13 5. "Service-disabled veteran" shall mean (a) in the case of the United
14 States army, navy, air force, marines, coast guard, army national guard
15 or air national guard and/or reserves thereof, a veteran who received a
16 compensation rating of ten percent or greater from the United States
17 Department of Veterans Affairs or from the United States department of
18 defense because of a service-connected disability incurred in the line
19 of duty, and (b) in the case of the New York guard or the New York naval
20 militia and/or reserves thereof, a veteran who certifies, pursuant to
21 the rules and regulations promulgated by the director, to having
22 incurred an injury equivalent to a compensation rating of ten percent or
23 greater from the United States Department of Veterans Affairs or from
24 the United States Department of Defense because of a service-connected
25 disability incurred in the line of duty.

26 6. "State agency" shall mean: (a)(i) any state department; or (ii) any
27 division, board, commission or bureau of any state department; or (iii)
28 the state university of New York and the city university of New York,
29 including all their constituent units except community colleges and the
30 independent institutions operating statutory or contract colleges on
31 behalf of the state; or (iv) a board, a majority of whose members are
32 appointed by the governor or who serve by virtue of being state officers
33 or employees as defined in subparagraph (i), (ii) or (iii) of paragraph
34 (i) of subdivision one of section seventy-three of the public officers
35 law.

36 (b) a "state authority" as defined in subdivision one of section two
37 of the public authorities law, and the following:

38 Albany County Airport Authority;
39 Albany Port District Commission;
40 Alfred, Almond, Hornellsville Sewer Authority;
41 Battery Park City Authority;
42 Cayuga County Water and Sewer Authority;
43 (Nelson A. Rockefeller) Empire State Plaza Performing Arts Center
44 Corporation;
45 Industrial Exhibit Authority;
46 Livingston County Water and Sewer Authority;
47 Long Island Power Authority;
48 Long Island Rail Road;
49 Long Island Market Authority;
50 Manhattan and Bronx Surface Transit Operating Authority;
51 Metro-North Commuter Railroad;
52 Metropolitan Suburban Bus Authority;
53 Metropolitan Transportation Authority;
54 Natural Heritage Trust;
55 New York City Transit Authority;
56 New York Convention Center Operating Corporation;

1 New York State Bridge Authority;
2 New York State Olympic Regional Development Authority;
3 New York State Thruway Authority;
4 Niagara Falls Public Water Authority;
5 Niagara Falls Water Board;
6 Port of Oswego Authority;
7 Power Authority of the State of New York;
8 Roosevelt Island Operating Corporation;
9 Schenectady Metroplex Development Authority;
10 State Insurance Fund;
11 Staten Island Rapid Transit Operating Authority;
12 State University Construction Fund;
13 Syracuse Regional Airport Authority;
14 Triborough Bridge and Tunnel Authority;
15 Upper Mohawk valley regional water board;
16 Upper Mohawk valley regional water finance authority;
17 Upper Mohawk valley memorial auditorium authority;
18 Urban Development Corporation and its subsidiary corporations.

19 (c) the following only to the extent of state contracts entered into
20 for its own account or for the benefit of a state agency as defined in
21 paragraph (a) or (b) of this subdivision:

22 Dormitory Authority of the State of New York;
23 Facilities Development Corporation;
24 New York State Energy Research and Development Authority;
25 New York State Science and Technology Foundation.

26 (d) "state contract" shall mean: (i) a written agreement or purchase
27 order instrument, providing for a total expenditure in excess of twenty-five
28 thousand dollars, whereby a contracting agency is committed to
29 expend or does expend funds in return for labor, services including but
30 not limited to legal, financial and other professional services,
31 supplies, equipment, materials or any combination of the foregoing, to
32 be performed for, or rendered or furnished to the contracting agency;
33 (ii) a written agreement in excess of one hundred thousand dollars
34 whereby a contracting agency is committed to expend or does expend funds
35 for the acquisition, construction, demolition, replacement, major repair
36 or renovation of real property and improvements thereon; and (iii) a
37 written agreement in excess of one hundred thousand dollars whereby the
38 owner of a state assisted housing project is committed to expend or does
39 expend funds for the acquisition, construction, demolition, replacement,
40 major repair or renovation of real property and improvements thereon for
41 such project.

42 7. "Veteran" shall mean a person who served in the United States army,
43 navy, air force, marines, coast guard, and/or reserves thereof, and/or
44 in the army national guard, air national guard, New York guard and/or
45 the New York naval militia, and who (i) has received an honorable or
46 general discharge from such service, or (ii) has a qualifying condition,
47 as defined in section one of this chapter, and has received a discharge
48 other than bad conduct or dishonorable from such service, or (iii) is a
49 discharged LGBT veteran, as defined in section one of this chapter, and
50 has received a discharge other than bad conduct or dishonorable from
51 such service.

52 § 41. Division of service-disabled veterans' business development. 1.
53 The head of the division of service-disabled veterans' business develop-
54 ment shall be the director who shall be appointed by the governor and
55 who shall hold office at the pleasure of the commissioner.

2. The director may appoint such deputies, assistants, and other employees as may be needed for the performance of the duties prescribed herein subject to the provisions of the civil service law and the rules and regulations of the civil service commission. The director may request and shall receive from any (i) department, division, board, bureau, or executive commission of the state or (ii) state agency, such assistance as may be necessary to carry out the provisions of this article.

3. The director shall have the following powers and duties:

(a) Develop, collect, summarize and disseminate information that will be helpful to persons and organizations throughout the state in undertaking or promoting the establishment and successful operation of a service-disabled veteran-owned business.

(b) Develop and make available to state agencies a directory of certified service-disabled veteran-owned business enterprises which shall, wherever practicable, be divided into categories of labor, services, supplies, equipment, materials and recognized construction trades and which shall indicate areas or locations of the state where such enterprises are available to perform services. Such directory shall be posted on the office of general services website.

(c) Assist state agencies in the development of programs to foster and promote the use of service-disabled veteran-owned business enterprises on state contracts.

(d) Coordinate the plans, programs and operations of the state government which affect or may contribute to the establishment, preservation and development of service-disabled veteran-owned business enterprises.

(e) To appoint independent hearing officers who by contract or terms of employment shall preside over adjudicatory hearings pursuant to this section for the office and who are assigned no other work by the office.

(f) In conjunction with the commissioner, develop a comprehensive statewide plan and operational guidelines to promote service-disabled veteran-owned business enterprises and to assist them in obtaining opportunities to participate in the procurement of goods and services by the state, including identification of barriers to service-disabled veterans' business development and investigation and evaluation of their impact on achieving the objectives of this article.

4. The commissioner shall:

(a) Coordinate training of all procurement personnel of state agencies, emphasizing increased sensitivity and responsiveness to the unique needs and requirements of service-disabled veteran-owned business enterprises.

(b) Conduct a coordinated review of all existing and proposed state training and technical assistance activities in direct support of the service-disabled veterans' business development program to assure consistency with the objectives of this article.

(c) Evaluate and assess availability of firms for the purpose of increasing participation of such firms in state contracting in consultation with relevant state entities including, but not limited to, the New York state department of veterans' services.

(d) Provide advice and technical assistance to promote service-disabled veteran-owned business enterprises' understanding of state procurement laws, practices and procedures to facilitate and increase the participation of service-disabled veteran-owned business enterprises in state procurement.

(e) Establish regular performance reporting systems regarding implementation of the programs designed to increase service-disabled veter-

an-owned business participation in procurement contracts by state agencies.

(f) Submit a report by the thirty-first of December each year, to the governor, the temporary president of the senate, the speaker of the assembly and the chairpersons of the senate finance and assembly ways and means committees. Such report shall include information including, but not limited to, the number of contracts entered into pursuant to this article, the average amount of such contracts, the number of service-disabled veteran-owned business enterprises certified, the number of applications for certification as a service-disabled veteran-owned business enterprise, the number of denials for such certification, the number of appeals of such denials, and the outcome of such appeals and the average time that is required for such certification to be completed. Also to be included shall be the level of service-disabled veteran-owned businesses participating in each agency's contracts for goods and services and on activities of the division and efforts by each contracting agency to promote utilization of service-disabled veteran-owned businesses and to promote and increase participation by certified service-disabled veteran-owned businesses with respect to state contracts and subcontracts to such businesses. Such report may recommend new activities and programs to effectuate the purposes of this article.

5. Certification. (a) The director, or in the absence of the director, the commissioner, within ninety days of the effective date of this article, shall promulgate rules and regulations providing for the establishment of a statewide certification program including rules and regulations governing the approval, denial, or revocation of any such certification. Such rules and regulations shall include, but not be limited to, such matters as may be required to ensure that the established procedures thereunder shall at least be in compliance with the code of fair procedure set forth in section seventy-three of the civil rights law.

(b) The division of service-disabled veterans' business development shall be responsible for verifying businesses as being owned, operated, and controlled by a service-disabled veteran and for certifying such verified businesses. Status as a service-disabled veteran pursuant to paragraph (a) of this subdivision shall be documented by a copy of the veteran's certificate of release or discharge from active duty, including but not limited to, a DD-214 form or an honorable service certificate/report of casualty from the Department of Defense, a letter of certification by the United States Department of Veterans Affairs or the United States Department of Defense and any additional information that may be required by the division of service-disabled veterans' business development. In the case of the New York guard or the New York naval militia and/or reserves thereof, status as a service-disabled veteran pursuant to this paragraph shall be documented pursuant to rules and regulations promulgated by the director, or in the absence of the director, the commissioner.

(c) Following application for certification pursuant to this section, the director shall provide the applicant with written notice of the status of the application, including notice of any outstanding deficiencies, within thirty days. Within sixty days of submission of a final completed application, the director shall provide the applicant with written notice of a determination by the director approving or denying such certification and, in the event of a denial, a statement setting forth the reasons for such denial. Upon a determination denying or revoking certification, the business enterprise for which certification

1 has been so denied or revoked shall, upon written request made within
2 thirty days from receipt of notice of such determination, be entitled to
3 a hearing before an independent hearing officer designated for such
4 purpose by the director. In the event that a request for a hearing is
5 not made within such thirty-day period, such determination shall be
6 deemed to be final. The independent hearing officer shall conduct a
7 hearing and upon the conclusion of such hearing, issue a written recom-
8 mendation to the director to affirm, reverse, or modify such determi-
9 nation of the director. Such written recommendation shall be issued to
10 the parties. The director, within thirty days, by order, must accept,
11 reject or modify such recommendation of the hearing officer and set
12 forth in writing the reason therefor. The director shall serve a copy of
13 such order and reasons therefor upon the business enterprise by personal
14 service or by certified mail return receipt requested. The order of the
15 director shall be subject to review pursuant to article seventy-eight of
16 the civil practice law and rules.

17 (d) All certifications shall be valid for a period of five years.

18 § 42. Opportunities for certified service-disabled veteran-owned busi-
19 ness enterprises. 1. The director, or in the absence of the director,
20 the commissioner, within ninety days of the effective date of this arti-
21 cle shall promulgate rules and regulations for the following purposes:

22 (a) provide measures and procedures to ensure that certified service-
23 disabled veteran-owned business enterprises are afforded the opportunity
24 for meaningful participation in the performance of state contracts and
25 to assist in state agencies' identification of those state contracts for
26 which certified service-disabled veteran-owned business enterprises may
27 best perform;

28 (b) provide for measures and procedures that assist state agencies in
29 the identification of state contracts where service-disabled veteran
30 contract goals are practical, feasible and appropriate for the purpose
31 of increasing the utilization of service-disabled veteran-owned business
32 enterprise participation on state contracts;

33 (c) achieve a statewide goal for participation on state contracts by
34 service-disabled veteran-owned business enterprises of six percent;

35 (d) provide for procedures relating to submission and receipt of
36 applications by service-disabled veteran-owned business enterprises for
37 certification;

38 (e) provide for the monitoring and compliance of state contracts by
39 state agencies with respect to the provisions of this article;

40 (f) provide for the requirement that state agencies submit regular
41 reports, as determined by the director, with respect to their service-
42 disabled veteran-owned business enterprise program activity, including
43 but not limited to, utilization reporting and state contract monitoring
44 and compliance;

45 (g) notwithstanding any provision of the state finance law, the public
46 buildings law, the highway law, the transportation law or the public
47 authorities law to the contrary, provide for the reservation or set-a-
48 side of certain procurements by state agencies in order to achieve the
49 objectives of this article; provided, however, that such procurements
50 shall remain subject to (i) priority of preferred sources pursuant to
51 sections one hundred sixty-two and one hundred sixty-three of the state
52 finance law; (ii) the approval of the comptroller of the state of New
53 York pursuant to section one hundred twelve and section one hundred
54 sixty-three of the state finance law and section twenty-eight hundred
55 seventy-nine-a of the public authorities law; and (iii) the procurement

1 record requirements pursuant to paragraph g of subdivision nine of
2 section one hundred sixty-three of the state finance law; and
3 (h) provide for any other purposes to effectuate this article.

4 2. State agencies shall administer the rules and regulations promul-
5 gated by the director for the implementation of this article.

6 § 43. Severability. If any clause, sentence, paragraph, section or
7 part of this article shall be adjudged by any court of competent juris-
8 diction to be invalid, the judgment shall not affect, impair or invali-
9 date the remainder thereof, but shall be confined in its operation to
10 the clause, sentence, paragraph, section or part of this article direct-
11 ly involved in the controversy in which the judgment shall have been
12 rendered.

13 § 3. Paragraph a of subdivision 3 of section 14-a of the domestic
14 relations law, as separately amended by section 27 of part AA of chapter
15 56 and chapter 177 of the laws of 2019, is amended to read as follows:

16 a. No fee shall be charged for any certificate when required by the
17 United States department of veterans affairs or by the [~~division~~]
18 department of veterans' services of the state of New York to be used in
19 determining the eligibility of any person to participate in the benefits
20 made available by the United States department of veterans affairs or by
21 the state of New York.

22 § 4. Subdivision 1 of section 19 of the domestic relations law, as
23 amended by section 28 of part AA of chapter 56 of the laws of 2019, is
24 amended to read as follows:

25 1. Each town and city clerk hereby empowered to issue marriage
26 licenses shall keep a book supplied by the state department of health in
27 which such clerk shall record and index such information as is required
28 therein, which book shall be kept and preserved as a part of the public
29 records of his or her office. Whenever an application is made for a
30 search of such records the city or town clerk, excepting the city clerk
31 of the city of New York, may make such search and furnish a certificate
32 of the result to the applicant upon the payment of a fee of five dollars
33 for a search of one year and a further fee of one dollar for the second
34 year for which such search is requested and fifty cents for each addi-
35 tional year thereafter, which fees shall be paid in advance of such
36 search. Whenever an application is made for a search of such records in
37 the city of New York, the city clerk of the city of New York may make
38 such search and furnish a certificate of the result to the applicant
39 upon the payment of a fee of five dollars for a search of one year and a
40 further fee of one dollar for the second year for which search is
41 requested and fifty cents each additional year thereafter. Notwithstand-
42 ing any other provision of this article, no fee shall be charged for any
43 search or certificate when required by the United States department of
44 veterans affairs or by the [~~division~~] department of veterans' services
45 of the state of New York to be used in determining the eligibility of
46 any person to participate in the benefits made available by the United
47 States department of veterans affairs or by the state of New York. All
48 such affidavits, statements and consents, immediately upon the taking or
49 receiving of the same by the town or city clerk, shall be recorded and
50 indexed as provided herein and shall be public records and open to
51 public inspection whenever the same may be necessary or required for
52 judicial or other proper purposes. At such times as the commissioner
53 shall direct, the said town or city clerk, excepting the city clerk of
54 the city of New York, shall file in the office of the state department
55 of health the original of each affidavit, statement, consent, order of a
56 justice or judge authorizing immediate solemnization of marriage,

1 license and certificate, filed with or made before such clerk during the
2 preceding month. Such clerk shall not be required to file any of said
3 documents with the state department of health until the license is
4 returned with the certificate showing that the marriage to which they
5 refer has been actually performed.

6 The county clerks of the counties comprising the city of New York
7 shall cause all original applications and original licenses with the
8 marriage solemnization statements thereon heretofore filed with each,
9 and all papers and records and binders relating to such original docu-
10 ments pertaining to marriage licenses issued by said city clerk, in
11 their custody and possession to be removed, transferred, and delivered
12 to the borough offices of the city clerk in each of said counties.

13 § 5. Subdivision 1 of section 3308 of the education law, as amended by
14 section 29 of part AA of chapter 56 of the laws of 2019, is amended to
15 read as follows:

16 1. Each member state shall, through the creation of a state council or
17 use of an existing body or board, provide for the coordination among its
18 agencies of government, local educational agencies and military instal-
19 lations concerning the state's participation in, and compliance with,
20 this compact and interstate commission activities. In New York, the
21 state council shall include the commissioner or his or her designee, the
22 [~~director~~] commissioner of the New York state [~~division~~] department of
23 veterans' services or his or her designee, the adjutant general of the
24 state of New York or his or her designee, a superintendent of a school
25 district with a high concentration of military children appointed by the
26 commissioner, a district superintendent of schools of a board of cooper-
27 ative educational services serving an area with a high concentration of
28 military children appointed by the commissioner, a representative from a
29 military installation appointed by the governor, a representative of
30 military families appointed by the governor, a public member appointed
31 by the governor and one representative each appointed by the speaker of
32 the assembly, the temporary president of the senate and the governor.

33 § 6. Subdivision 1 of section 6505-c of the education law, as amended
34 by section 30 of part AA of chapter 56 of the laws of 2019, is amended
35 to read as follows:

36 1. The commissioner shall develop, jointly with the [~~director~~] commis-
37 sioner of the [~~division~~] department of veterans' services, a program to
38 facilitate articulation between participation in the military service of
39 the United States or the military service of the state and admission to
40 practice of a profession. The commissioner and the [~~director~~] commis-
41 sioner of veterans' services shall identify, review and evaluate profes-
42 sional training programs offered through either the military service of
43 the United States or the military service of the state which may, where
44 applicable, be accepted by the department as equivalent education and
45 training in lieu of all or part of an approved program. Particular
46 emphasis shall be placed on the identification of military programs
47 which have previously been deemed acceptable by the department as equiv-
48 alent education and training, programs which may provide, where applica-
49 ble, equivalent education and training for those professions which are
50 critical to public health and safety and programs which may provide,
51 where applicable, equivalent education and training for those
52 professions for which shortages exist in the state of New York.

53 § 7. The opening paragraph of section 5-211 of the election law, as
54 separately amended by chapters 587 and 672 of the laws of 2019, is
55 amended to read as follows:

Each agency designated as a participating agency under the provisions of this section shall implement and administer a program of distribution of voter registration forms pursuant to the provisions of this section. The following offices which provide public assistance and/or provide state funded programs primarily engaged in providing services to persons with disabilities are hereby designated as voter registration agencies: designated as the state agencies which provide public assistance are the office of children and family services, the office of temporary and disability assistance and the department of health. Also designated as public assistance agencies are all agencies of local government that provide such assistance. Designated as state agencies that provide programs primarily engaged in providing services to people with disabilities are the department of labor, office for the aging, ~~[division]~~ department of veterans' services, office of mental health, office of vocational and educational services for individuals with disabilities, commission on quality of care for the mentally disabled, office for people with developmental disabilities, commission for the blind, office of ~~[alcoholism and substance abuse services]~~ addiction services and supports, the office of the advocate for the disabled and all offices which administer programs established or funded by such agencies. Additional participating agencies designated as voter registration offices are the department of state and the district offices of the workers' compensation board. Such agencies shall be required to offer voter registration forms to persons upon initial application for services, renewal or recertification for services and upon change of address relating to such services. Such agencies shall also be responsible for providing assistance to applicants in completing voter registration forms, receiving and transmitting the completed application form from all applicants who wish to have such form transmitted to the appropriate board of elections. The state board of elections shall, together with representatives of the United States department of defense, develop and implement procedures for including recruitment offices of the armed forces of the United States as voter registration offices when such offices are so designated by federal law. The state board of elections shall also make request of the United States Citizenship and Immigration Services to include applications for registration by mail with any materials which are given to new citizens.

§ 8. Subdivision 3 of section 11-0707 of the environmental conservation law, as amended by chapter 322 of the laws of 2021, is amended to read as follows:

3. Any person who is a patient at any facility in this state maintained by the United States Veterans Health Administration or at any hospital or sanatorium for treatment of tuberculosis maintained by the state or any municipal corporation thereof or resident patient at any institution of the department of Mental Hygiene, or resident patient at the rehabilitation hospital of the department of Health, or at any rest camp maintained by the state through the ~~[Division]~~ Department of Veterans' Services ~~[in the Executive Department]~~ or any incarcerated individual of a conservation work camp within the youth rehabilitation facility of the department of corrections and community supervision, or any incarcerated individual of a youth opportunity or youth rehabilitation center within the Office of Children and Family Services, any resident of a nursing home or residential health care facility as defined in subdivisions two and three of section twenty-eight hundred one of the public health law, or any staff member or volunteer accompanying or assisting one or more residents of such nursing home or residential

1 health care facility on an outing authorized by the administrator of
2 such nursing home or residential health care facility may take fish as
3 if he or she held a fishing license, except that he or she may not take
4 bait fish by net or trap, if he or she has on his or her person an
5 authorization upon a form furnished by the department containing such
6 identifying information and data as may be required by it, and signed by
7 the superintendent or other head of such facility, institution, hospi-
8 tal, sanitarium, nursing home, residential health care facility or rest
9 camp, as the case may be, or by a staff physician thereat duly author-
10 ized so to do by the superintendent or other head thereof. Such authori-
11 zation with respect to incarcerated individuals of said conservation
12 work camps shall be limited to areas under the care, custody and control
13 of the department.

14 § 9. Subdivisions 8, 9 and 10 of section 31 of the executive law,
15 subdivision 8 as amended by section 2 of part AA of chapter 56 of the
16 laws of 2019, subdivision 9 as amended by section 106 of subpart B of
17 part C of chapter 62 of the laws of 2011 and subdivision 10 as amended
18 by section 8 of part 0 of chapter 55 of the laws of 2012, are amended to
19 read as follows:

20 8. ~~[The division of veterans' services,~~

21 ~~9-]~~ The division of homeland security and emergency services.

22 ~~[10-]~~ 9. Office of information technology services.

23 § 10. Subdivision 1 of section 191 of the executive law, as amended by
24 section 3 of part AA of chapter 56 of the laws of 2019, is amended to
25 read as follows:

26 1. There is hereby established within the division of military and
27 naval affairs a temporary advisory committee on the restoration and
28 display of New York state's military battle flags (hereinafter referred
29 to as the "committee"). The committee shall have thirteen members as
30 follows: the adjutant general, the director of the New York state mili-
31 tary heritage museum, the commissioners of education and parks, recre-
32 ation and historic preservation and the ~~[director]~~ commissioner of the
33 ~~[division]~~ department of veterans' services, or their designated repre-
34 sentatives, two members appointed each by the governor, speaker of the
35 assembly and majority leader of the senate and one member each appointed
36 by the minority leaders of the senate and assembly and shall serve at
37 the pleasure of the appointing authority. Appointed members shall
38 include individuals with experience in restoration of historical memora-
39 bilia, expertise in military history, or a background in historical
40 restoration or fine arts conservation. No appointed member shall be a
41 member of the executive, legislative or judicial branch of the state
42 government at the time of his/her appointment. The advisory committee
43 shall meet at least four times a year. No members shall receive any
44 compensation, but members who are not state officials may receive actual
45 and necessary expenses incurred in the performance of their duties.

46 § 11. Subdivision 1 of section 643 of the executive law, as amended by
47 section 14 of part AA of chapter 56 of the laws of 2019, is amended to
48 read as follows:

49 1. As used in this section, "crime victim-related agency" means any
50 agency of state government which provides services to or deals directly
51 with crime victims, including (a) the office of children and family
52 services, the office for the aging, the ~~[division]~~ department of veter-
53 ans' services, the office of probation and correctional alternatives,
54 the department of corrections and community supervision, the office of
55 victim services, the department of motor vehicles, the office of voca-
56 tional rehabilitation, the workers' compensation board, the department

1 of health, the division of criminal justice services, the office of
2 mental health, every transportation authority and the division of state
3 police, and (b) any other agency so designated by the governor within
4 ninety days of the effective date of this section.

5 § 12. Section 99-v of the general municipal law, as amended by section
6 25 of part AA of chapter 56 of the laws of 2019, is amended to read as
7 follows:

8 § 99-v. Veterans services; display of events. Each county, city, town
9 or village may adopt a local law to provide a bulletin board to be
10 conspicuously displayed in such county, city, town or village building
11 holding its local legislative body or municipal offices. Such bulletin
12 board shall be used by veterans organizations, the New York state [~~divi-~~
13 ~~sion~~] department of veterans' services, the county veterans service
14 agency or city veterans service agency to display information regarding
15 veterans in such county, city, town or village. Such information may
16 include, but not be limited to, benefits or upcoming veterans related
17 events in the community.

18 § 13. Subdivision 1 of section 168 of the labor law, as amended by
19 chapter 322 of the laws of 2021, is amended to read as follows:

20 1. This section shall apply to all persons employed by the state in
21 the ward, cottage, colony, kitchen and dining room, and guard service
22 personnel in any hospital, school, prison, reformatory or other institu-
23 tion within or subject to the jurisdiction, supervision, control or
24 visitation of the department of corrections and community supervision,
25 the department of health, the department of mental hygiene, the depart-
26 ment of social welfare or the [~~division~~] department of veterans'
27 services [~~in the executive department~~], and engaged in the performance
28 of such duties as nursing, guarding or attending the incarcerated indi-
29 viduals, patients, wards or other persons kept or housed in such insti-
30 tutions, or in protecting and guarding the buildings and/or grounds
31 thereof, or in preparing or serving food therein.

32 § 14. Paragraph 5 of subdivision (b) of section 5.06 of the mental
33 hygiene law, as amended by section 31 of part AA of chapter 56 of the
34 laws of 2019, is amended to read as follows:

35 (5) one member appointed on the recommendation of the state [~~director~~]
36 commissioner of the [~~division~~] department of veterans' services and one
37 member appointed on the recommendation of the adjutant general of the
38 division of military and naval affairs, at least one of whom shall be a
39 current or former consumer of mental health services or substance use
40 disorder services who is a veteran who has served in a combat theater or
41 combat zone of operations and is a member of a veterans organization;

42 § 15. Subdivision (l) of section 7.09 of the mental hygiene law, as
43 added by chapter 378 of the laws of 2019, is amended to read as follows:

44 (l) Notwithstanding any general or special law to the contrary, the
45 commissioner, in conjunction with the commissioner of [~~alcoholism and~~
46 ~~substance abuse services~~] addiction services and supports and the direc-
47 tor of the [~~division~~] department of veterans' services shall develop a
48 public education initiative designed to eliminate stigma and misinforma-
49 tion about mental illness and substance use among service members,
50 veterans, and their families, improve their understanding of mental and
51 substance use disorders and the existence of effective treatment, and
52 provide information regarding available resources and how to access
53 them. These public education initiatives may include the use of the
54 internet, including the use of social networking sites.

1 § 16. Subdivision (g) of section 202 of the not-for-profit corporation
2 law, as amended by section 33 of part AA of chapter 56 of the laws of
3 2019, is amended to read as follows:

4 (g) Every corporation receiving any kind of state funding shall ensure
5 the provision on any form required to be completed at application or
6 recertification for the purpose of obtaining financial assistance pursu-
7 ant to this chapter, that the application form shall contain a check-off
8 question asking whether the applicant or recipient or a member of his or
9 her family served in the United States military, and an option to answer
10 in the affirmative. Where the applicant or recipient answers in the
11 affirmative to such question, the not-for-profit corporation shall
12 ensure that contact information for the state [~~division~~] department of
13 veterans' services is provided to such applicant or recipient in addi-
14 tion to any other materials provided.

15 § 17. Subdivision (b) of section 1401 of the not-for-profit corpo-
16 ration law, as amended by section 34 of part AA of chapter 56 of the
17 laws of 2019, is amended to read as follows:

18 (b) Removal of remains from private cemeteries to other cemeteries.
19 The supervisor of any town containing a private cemetery may remove any
20 body interred in such cemetery to any other cemetery within the town, if
21 the owners of such cemeteries and the next of kin of the deceased
22 consent to such removal. The owners of a private cemetery may remove the
23 bodies interred therein to any other cemetery within such town, or to
24 any cemetery designated by the next of kin of the deceased. Notice of
25 such removal shall be given within twenty days before such removal
26 personally or by certified mail to the next of kin of the deceased if
27 known and to the clerk and historian of the county in which such real
28 property is situated and notice shall be given to the New York state
29 department of state, division of cemeteries. If any of the deceased are
30 known to be veterans, the owners shall also notify the [~~division~~]
31 department of veterans' services. In the absence of the next of kin, the
32 county clerk, county historian or the [~~division~~] department of veterans'
33 services may act as a guardian to ensure proper reburial.

34 § 18. Subdivision 2 of section 3802 of the public health law, as
35 amended by section 23 of part AA of chapter 56 of the laws of 2019, is
36 amended to read as follows:

37 2. In the exercise of the foregoing powers and duties the commissioner
38 shall consult with the [~~director~~] commissioner of the [~~division~~] depart-
39 ment of veterans' services and the heads of state agencies charged with
40 responsibility for manpower and health resources.

41 § 19. Subdivision 3 of section 3803 of the public health law, as
42 amended by section 24 of part AA of chapter 56 of the laws of 2019, is
43 amended to read as follows:

44 3. In exercising any of his or her powers under this section, the
45 commissioner shall consult with appropriate health care professionals,
46 providers, veterans or organizations representing them, the [~~division~~]
47 department of veterans' services, the United States department of veter-
48 ans affairs and the United States defense department.

49 § 20. Paragraph (j) of subdivision 3 of section 20 of the social
50 services law, as amended by section 32 of part AA of chapter 56 of the
51 laws of 2019, is amended to read as follows:

52 (j) to ensure the provision, on any form required to be completed at
53 application or recertification for the purpose of obtaining financial
54 assistance pursuant to this chapter, the form shall contain a check-off
55 question asking whether the applicant or recipient or a member of his or
56 her family served in the United States military, and an option to answer

1 in the affirmative. Where the applicant or recipient answers in the
2 affirmative to such question, the office of temporary and disability
3 assistance shall ensure that contact information for the state [~~divi-~~
4 ~~sion~~] department of veterans' services is provided to such applicant or
5 recipient addition to any other materials provided.

6 § 21. Subdivisions 3 and 4 of section 95-f of the state finance law,
7 as amended by section 15 of part AA of chapter 56 of the laws of 2019,
8 are amended to read as follows:

9 3. Monies of the fund shall be expended for the provision of veterans'
10 counseling services provided by local veterans' service agencies pursu-
11 ant to section [~~three hundred fifty seven~~] fourteen of the [~~executive~~
12 veterans' services] law under the direction of the [~~division~~] department
13 of veterans' services.

14 4. To the extent practicable, the [~~director~~] commissioner of the
15 [~~division~~] department of veterans' services shall ensure that all monies
16 received during a fiscal year are expended prior to the end of that
17 fiscal year.

18 § 22. The opening paragraph of subdivision 2-a and subdivision 5 of
19 section 97-mmmm of the state finance law, as amended by section 16 of
20 part AA of chapter 56 of the laws of 2019, are amended to read as
21 follows:

22 On or before the first day of February each year, the [~~director~~]
23 commissioner of the New York state [~~division~~] department of veterans'
24 services shall provide a written report to the temporary president of
25 the senate, speaker of the assembly, chair of the senate finance commit-
26 tee, chair of the assembly ways and means committee, chair of the senate
27 committee on veterans, homeland security and military affairs, chair of
28 the assembly veterans' affairs committee, the state comptroller and the
29 public. Such report shall include how the monies of the fund were
30 utilized during the preceding calendar year, and shall include:

31 5. Moneys shall be payable from the fund on the audit and warrant of
32 the comptroller on vouchers approved and certified by the [~~director~~]
33 commissioner of the [~~division~~] department of veterans' services.

34 § 23. The opening paragraph of subdivision 2-a and subdivision 4 of
35 section 99-v of the state finance law, as amended by section 17 of part
36 AA of chapter 56 of the laws of 2019, are amended to read as follows:

37 On or before the first day of February each year, the [~~director~~]
38 commissioner of the New York state [~~division~~] department of veterans'
39 services shall provide a written report to the temporary president of
40 the senate, speaker of the assembly, chair of the senate finance commit-
41 tee, chair of the assembly ways and means committee, chair of the senate
42 committee on veterans, homeland security and military affairs, chair of
43 the assembly veterans' affairs committee, the state comptroller and the
44 public. Such report shall include how the monies of the fund were
45 utilized during the preceding calendar year, and shall include:

46 4. Moneys of the fund shall be expended only for the assistance and
47 care of homeless veterans, for housing and housing-related expenses, as
48 determined by the [~~division~~] department of veterans' services.

49 § 24. Subdivision 1 of section 20 of chapter 784 of the laws of 1951,
50 constituting the New York state defense emergency act, as amended by
51 section 38 of part AA of chapter 56 of the laws of 2019, is amended to
52 read as follows:

53 1. There is hereby continued in the division of military and naval
54 affairs in the executive department a state civil defense commission to
55 consist of the same members as the members of the disaster preparedness
56 commission as established in article two-B of the executive law. In

1 addition, the superintendent of financial services, the chairperson of
2 the workers' compensation board and the [~~director~~] commissioner of the
3 [~~division~~] department of veterans' services shall be members. The gover-
4 nor shall designate one of the members of the commission to be the
5 chairperson thereof. The commission may provide for its division into
6 subcommittees and for action by such subcommittees with the same force
7 and effect as action by the full commission. The members of the commis-
8 sion, except for those who serve ex officio, shall be allowed their
9 actual and necessary expenses incurred in the performance of their
10 duties under this article but shall receive no additional compensation
11 for services rendered pursuant to this article.

12 § 25. Paragraph 2 of subdivision b of section 31-102 of the adminis-
13 trative code of the city of New York, as amended by section 39 of part
14 AA of chapter 56 of the laws of 2019, is amended to read as follows:

15 2. links to websites describing veteran employment services provided
16 by the federal government and New York state government, including, but
17 not limited to, the websites of the United States department of labor,
18 the New York state department of labor, the United States department of
19 veterans affairs, and the New York state [~~division~~] department of veter-
20 ans' services; and

21 § 26. Subdivision a of section 3102 of the New York city charter, as
22 amended by section 40 of part AA of chapter 56 of the laws of 2019, is
23 amended to read as follows:

24 a. Except as otherwise provided by law, the commissioner shall have
25 such powers as provided by the [~~director~~] commissioner of the state
26 department veterans' [~~service-agency~~] services and shall have the duty
27 to inform military and naval authorities of the United States and assist
28 members of the armed forces and veterans, who are residents of the city,
29 and their families, in relation to: (1) matters pertaining to educa-
30 tional training and retraining services and facilities, (2) health,
31 medical and rehabilitation service and facilities, (3) provisions of
32 federal, state and local laws and regulations affording special rights
33 and privileges to members of the armed forces and veterans and their
34 families, (4) employment and re-employment services, and (5) other
35 matters of similar, related or appropriate nature. The commissioner
36 shall also assist families of members of the reserve components of the
37 armed forces and the organized militia ordered into active duty to
38 ensure that they are made aware of and are receiving all appropriate
39 support available to them. The department also shall perform such other
40 duties as may be assigned by the state [~~director~~] commissioner of the
41 [~~division~~] department of veterans' services.

42 § 27. Subdivision 1 of section 143 of the state finance law, as
43 amended by chapter 96 of the laws of 2019, is amended to read as
44 follows:

45 1. Notwithstanding any inconsistent provision of any general or
46 special law, the board, division, department, bureau, agency, officer or
47 commission of the state charged with the duty of preparing plans and
48 specifications for and awarding or entering into contracts for the
49 performance of public work may require the payment of a fixed sum of
50 money, not exceeding one hundred dollars, for each copy of such plans
51 and specifications, by persons or corporations desiring a copy thereof.
52 Any person or corporation desiring a copy of such plans and specifica-
53 tions and making the deposit required by this section shall be furnished
54 with one copy of the plans and specifications. Notwithstanding the fore-
55 going, where payment is required it shall be waived upon request by
56 minority- and women-owned business enterprises certified pursuant to

1 article fifteen-A of the executive law or by service-disabled veteran-
2 owned business enterprises certified pursuant to article [~~seventeen-B~~]
3 ~~three~~ of the [~~executive~~] veterans' services law. Such payment may also
4 be waived when such plans and specifications are made available and
5 obtained electronically or in any non-paper form from the board, divi-
6 sion, department, bureau, agency, officer or commission of the state.

7 § 28. Paragraph j of subdivision 1 and subdivisions 6 and 6-d of
8 section 163 of the state finance law, paragraph j of subdivision 1 as
9 amended by chapter 569 of the laws of 2015, subdivision 6 as amended by
10 chapter 257 of the laws of 2021 and subdivision 6-d as added by chapter
11 96 of the laws of 2019, are amended to read as follows:

12 j. "Best value" means the basis for awarding contracts for services to
13 the offerer which optimizes quality, cost and efficiency, among respon-
14 sive and responsible offerers. Such basis shall reflect, wherever possi-
15 ble, objective and quantifiable analysis. Such basis may also identify a
16 quantitative factor for offerers that are small businesses, certified
17 minority- or women-owned business enterprises as defined in subdivisions
18 one, seven, fifteen and twenty of section three hundred ten of the exec-
19 utive law or service-disabled veteran-owned business enterprises as
20 defined in subdivision one of section [~~three hundred sixty-nine-h~~] forty
21 of the [~~executive~~] veterans' services law to be used in evaluation of
22 offers for awarding of contracts for services.

23 6. Discretionary buying thresholds. Pursuant to guidelines established
24 by the state procurement council: the commissioner may purchase services
25 and commodities for the office of general services or its customer agen-
26 cies serviced by the office of general services business services center
27 in an amount not exceeding eighty-five thousand dollars without a formal
28 competitive process; state agencies may purchase services and commod-
29 ities in an amount not exceeding fifty thousand dollars without a formal
30 competitive process; and state agencies may purchase commodities or
31 services from small business concerns or those certified pursuant to
32 [~~articles~~] article fifteen-A [~~and seventeen-B~~] of the executive law and
33 article three of the veterans' services law, or commodities or technolo-
34 gy that are recycled or remanufactured in an amount not exceeding five
35 hundred thousand dollars without a formal competitive process and for
36 commodities that are food, including milk and milk products, grown,
37 produced or harvested in New York state in an amount not to exceed two
38 hundred thousand dollars, without a formal competitive process.

39 6-d. Pursuant to the authority provided in subdivision six of this
40 section, state agencies shall report annually on a fiscal year basis by
41 July first of the ensuing year to the director of the division of minor-
42 ity and women-owned business development the total number and total
43 value of contracts awarded to businesses certified pursuant to article
44 fifteen-A of the executive law, and with respect to contracts awarded to
45 businesses certified pursuant to article [~~seventeen-B~~] three of the
46 [~~executive~~] veterans' services law such information shall be reported to
47 the division of service-disabled veteran-owned business enterprises for
48 inclusion in their respective annual reports.

49 § 29. Paragraph (f) of subdivision 5 of section 87 of the cannabis law
50 is amended to read as follows:

51 (f) "Service-disabled veterans" shall mean persons qualified under
52 article [~~seventeen-B~~] three of the [~~executive~~] veterans' services law.

53 § 30. Subdivision 6 of section 224-d of the labor law, as added by
54 section 2 of part AA of chapter 56 of the laws of 2021, is amended to
55 read as follows:

6. Each owner and developer subject to the requirements of this section shall comply with the objectives and goals of certified minority and women-owned business enterprises pursuant to article fifteen-A of the executive law and certified service-disabled veteran-owned businesses pursuant to article ~~[seventeen-B]~~ three of the ~~[executive]~~ veterans' services law. The department in consultation with the ~~[directors]~~ commissioner of the division of minority and women's business development and the director of the division of service-disabled veterans' business development shall make training and resources available to assist minority and women-owned business enterprises and service-disabled veteran-owned business enterprises on covered renewable energy systems to achieve and maintain compliance with prevailing wage requirements. The department shall make such training and resources available online and shall afford minority and women-owned business enterprises and service-disabled veteran-owned business enterprises an opportunity to submit comments on such training.

§ 31. Subdivision 3 of section 103-a of the state technology law, as added by chapter 427 of the laws of 2017, is amended to read as follows:

3. The director shall conduct an outreach campaign informing the public of the iCenter and shall conduct specific outreach to minority and women-owned business enterprises certified pursuant to article fifteen-A of the executive law, small businesses as such term is defined in section one hundred thirty-one of the economic development law, and service disabled veteran owned business enterprises certified pursuant to article ~~[seventeen-B]~~ three of the ~~[executive]~~ veterans' services law to inform such businesses of iCenter initiatives.

§ 32. Section 831 of the county law, as amended by chapter 490 of the laws of 2019, 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]~~ one of the ~~[executive]~~ veterans' services 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]~~ one of the ~~[executive]~~ veterans' services law, and received a discharge other than bad conduct or dishonorable. The expense thereof shall be a county charge.

§ 33. Subdivision 6 of section 210 of the economic development law, as amended by chapter 490 of the laws of 2019, is amended to read as follows:

6. "Veteran" shall mean a person who served in 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]~~ one of the ~~[executive]~~ veterans' services 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]~~ one of the ~~[executive]~~ veterans' services law, and has received a discharge other than bad conduct or dishonorable from such service.

§ 34. Paragraph 1 of subdivision (a) of section 42 of the correction law, as amended by chapter 322 of the laws of 2021, is amended to read as follows:

1. There shall be within the commission a citizen's policy and complaint review council. It shall consist of nine persons to be appointed by the governor, by and with the advice and consent of the senate. One person so appointed shall have served in the armed forces of the United States in any foreign war, conflict or military occupation, who (i) was discharged therefrom under other than dishonorable conditions, or (ii) has a qualifying condition, as defined in section ~~[three hundred fifty]~~ one of the ~~[executive]~~ veterans' services 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]~~ one of the ~~[executive]~~ veterans' services law, and has received a discharge other than bad conduct or dishonorable from such service, or shall be a duly licensed mental health professional who has professional experience or training with regard to post-traumatic stress syndrome. One person so appointed shall be an attorney admitted to practice in this state. One person so appointed shall be a former incarcerated individual of a correctional facility. One person so appointed shall be a former correction officer. One person so appointed shall be a former resident of a division for youth secure center or a health care professional duly licensed to practice in this state. One person so appointed shall be a former employee of the office of children and family services who has directly supervised youth in a secure residential center operated by such office. In addition, the governor shall designate one of the full-time members other than the ~~[chairman]~~ chair of the commission as ~~[chairman]~~ chair of the council to serve as such at the pleasure of the governor.

§ 35. Paragraph (b) of subdivision 5 of section 50 of the civil service law, as amended by chapter 490 of the laws of 2019, is amended to read as follows:

(b) Notwithstanding the provisions of paragraph (a) of this subdivision, the state civil service department, subject to the approval of the director of the budget, a municipal commission, subject to the approval of the governing board or body of the city or county, as the case may be, or a regional commission or personnel officer, pursuant to governmental agreement, may elect to waive application fees, or to abolish fees for specific classes of positions or types of examinations or candidates, or to establish a uniform schedule of reasonable fees different from those prescribed in paragraph (a) of this subdivision, specifying in such schedule the classes of positions or types of examinations or candidates to which such fees shall apply; provided, however, that fees shall be waived for candidates who certify to the state civil service department, a municipal commission or a regional commission that they are unemployed and primarily responsible for the support of a household, or are receiving public assistance. Provided further, the state civil service department shall waive the state application fee for examinations for original appointment for all veterans. Notwithstanding any other provision of law, for purposes of this section, the term "veteran" shall mean a person who has served in the armed forces of the United States or the reserves thereof, or in the army national guard, air national guard, New York guard, or the New York naval militia, and who (1) has been honorably discharged or released from such service under honorable conditions, or (2) has a qualifying condition, as defined in section ~~[three hundred fifty]~~ one of the ~~[executive]~~

1 veterans' services law, and has received a discharge other than bad
2 conduct or dishonorable from such service, or (3) is a discharged LGBT
3 veteran, as defined in section [~~three hundred fifty~~] one of the [~~execu-~~
4 ~~tive~~] veterans' services law, and has received a discharge other than
5 bad conduct or dishonorable from such service. The term "armed forces"
6 shall mean the army, navy, air force, marine corps, and coast guard.

7 § 36. Paragraph (b) of subdivision 1 of section 75 of the civil
8 service law, as amended by chapter 490 of the laws of 2019, is amended
9 to read as follows:

10 (b) a person holding a position by permanent appointment or employment
11 in the classified service of the state or in the several cities, coun-
12 ties, towns, or villages thereof, or in any other political or civil
13 division of the state or of a municipality, or in the public school
14 service, or in any public or special district, or in the service of any
15 authority, commission or board, or in any other branch of public
16 service, who was honorably discharged or released under honorable
17 circumstances from the armed forces of the United States including (i)
18 having a qualifying condition as defined in section [~~three hundred~~
19 ~~fifty~~] one of the [~~executive~~] veterans' services 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~~] one of the [~~executive~~] veterans' services law, and
23 receiving a discharge other than bad conduct or dishonorable from such
24 service, having served therein as such member in time of war as defined
25 in section eighty-five of this chapter, or who is an exempt volunteer
26 firefighter as defined in the general municipal law, except when a
27 person described in this paragraph holds the position of private secre-
28 tary, cashier or deputy of any official or department, or

29 § 37. Paragraph (a) of subdivision 1 of section 85 of the civil
30 service law, as amended by chapter 608 of the laws of 2021, is amended
31 to read as follows:

32 (a) The terms "veteran" and "non-disabled veteran" mean a member of
33 the armed forces of the United States who was honorably discharged or
34 released under honorable circumstances from such service including (i)
35 having a qualifying condition as defined in section [~~three hundred~~
36 ~~fifty~~] one of the [~~executive~~] veterans' services law, and receiving a
37 discharge other than bad conduct or dishonorable from such service, or
38 (ii) being a discharged LGBT veteran, as defined in section [~~three~~
39 ~~hundred fifty~~] one of the [~~executive~~] veterans' services law, and
40 receiving a discharge other than bad conduct or dishonorable from such
41 service, who is a citizen of the United States or an alien lawfully
42 admitted for permanent residence in the United States and who is a resi-
43 dent of the state of New York at the time of application for appointment
44 or promotion or at the time of retention, as the case may be.

45 § 38. Section 86 of the civil service law, as amended by chapter 490
46 of the laws of 2019, is amended to read as follows:

47 § 86. Transfer of veterans or exempt volunteer firefighters upon abol-
48 ition of positions. If the position in the non-competitive or in the
49 labor class held by any honorably discharged veteran of the armed forces
50 of the United States or by any veteran of the armed forces of the United
51 States released under honorable circumstances from such service includ-
52 ing (i) having a qualifying condition as defined in section [~~three~~
53 ~~hundred fifty~~] one of the [~~executive~~] veterans' services law, and
54 receiving a discharge other than bad conduct or dishonorable from such
55 service, or (ii) being a discharged LGBT veteran, as defined in section
56 [~~three hundred fifty~~] one of the [~~executive~~] veterans' services law, and

1 receiving a discharge other than bad conduct or dishonorable from such
2 service, who served therein in time of war as defined in section eight-
3 y-five of this chapter, or by an exempt volunteer firefighter as defined
4 in the general municipal law, shall become unnecessary or be abolished
5 for reasons of economy or otherwise, the honorably discharged veteran or
6 exempt volunteer firefighter holding such position shall not be
7 discharged from the public service but shall be transferred to a similar
8 position wherein a vacancy exists, and shall receive the same compen-
9 sation therein. It is hereby made the duty of all persons clothed with
10 the power of appointment to make such transfer effective. The right to
11 transfer herein conferred shall continue for a period of one year
12 following the date of abolition of the position, and may be exercised
13 only where a vacancy exists in an appropriate position to which transfer
14 may be made at the time of demand for transfer. Where the positions of
15 more than one such veteran or exempt volunteer firefighter are abolished
16 and a lesser number of vacancies in similar positions exist to which
17 transfer may be made, the veterans or exempt volunteer firefighters
18 whose positions are abolished shall be entitled to transfer to such
19 vacancies in the order of their original appointment in the service.
20 Nothing in this section shall be construed to apply to the position of
21 private secretary, cashier or deputy of any official or department. This
22 section shall have no application to persons encompassed by section
23 eighty-a of this chapter.

24 § 39. Section 13-b of the domestic relations law, as amended by chap-
25 ter 306 of the laws of 2021, is amended to read as follows:

26 § 13-b. Time within which marriage may be solemnized. A marriage shall
27 not be solemnized within twenty-four hours after the issuance of the
28 marriage license, unless authorized by an order of a court of record as
29 hereinafter provided, nor shall it be solemnized after sixty days from
30 the date of the issuance of the marriage license unless authorized
31 pursuant to section [~~three hundred fifty four-d~~] ten of the [~~executive~~]
32 veterans' services law. Every license to marry hereafter issued by a
33 town or city clerk, in addition to other requirements specified by this
34 chapter, must contain a statement of the day and the hour the license is
35 issued and the period during which the marriage may be solemnized. It
36 shall be the duty of the clergyman or magistrate performing the marriage
37 ceremony, or if the marriage is solemnized by written contract, of the
38 judge before whom the contract is acknowledged, to annex to or endorse
39 upon the marriage license the date and hour the marriage is solemnized.
40 A judge or justice of the supreme court of this state or the county
41 judge of the county in which either party to be married resides, or the
42 judge of the family court of such county, if it shall appear from an
43 examination of the license and any other proofs submitted by the parties
44 that one of the parties is in danger of imminent death, or by reason of
45 other emergency public interest will be promoted thereby, or that such
46 delay will work irreparable injury or great hardship upon the contract-
47 ing parties, or one of them, may, make an order authorizing the immedi-
48 ate solemnization of the marriage and upon filing such order with the
49 clergyman or magistrate performing the marriage ceremony, or if the
50 marriage is to be solemnized by written contract, with the judge before
51 whom the contract is acknowledged, such clergyman or magistrate may
52 solemnize such marriage, or such judge may take such acknowledgment as
53 the case may be, without waiting for such three day period and twenty-
54 four hour period to elapse. The clergyman, magistrate or judge must file
55 such order with the town or city clerk who issued the license within
56 five days after the marriage is solemnized. Such town or city clerk must

1 record and index the order in the book required to be kept by him or her
2 for recording affidavits, statements, consents and licenses, and when so
3 recorded the order shall become a public record and available in any
4 prosecution under this section. A person who shall solemnize a marriage
5 in violation of this section shall be guilty of a misdemeanor and upon
6 conviction thereof shall be punished by a fine of fifty dollars for each
7 offense, and in addition thereto, his or her right to solemnize a
8 marriage shall be suspended for ninety days.

9 § 40. Paragraph c of subdivision 1 of section 360 of the education
10 law, as amended by chapter 490 of the laws of 2019, is amended to read
11 as follows:

12 c. Adopt and enforce campus rules and regulations not inconsistent
13 with the vehicle and traffic law relating to parking, vehicular and
14 pedestrian traffic, and safety. Such rules and regulations may include
15 provisions for the disposition of abandoned vehicles, removal by towing
16 or otherwise of vehicles parked in violation of such rules at the
17 expense of the owner, the payment of fees for the registration or park-
18 ing of such vehicles, provided that such campus rules and regulations
19 may provide that any veteran attending the state university as a student
20 shall be exempt from any fees for parking or registering a motor vehi-
21 cle, and the assessment of administrative fines upon the owner or opera-
22 tor of such vehicles for each violation of the regulations. However, no
23 such fine may be imposed without a hearing or an opportunity to be heard
24 conducted by an officer or board designated by the board of trustees.
25 Such fines, in the case of an officer or employee of state university,
26 may be deducted from the salary or wages of such officer or employee
27 found in violation of such regulations, or in the case of a student of
28 state university found in violation of such regulations, the university
29 may withhold his or her grades and transcripts until such time as any
30 fine is paid. For purposes of this subdivision, the term "veteran" shall
31 mean a member of the armed forces of the United States who served in
32 such armed forces in time of war and who (i) was honorably discharged or
33 released under honorable circumstances from such service, or (ii) has a
34 qualifying condition, as defined in section ~~[three hundred fifty]~~ one
35 of the ~~[executive]~~ veterans' services law, and has received a discharge
36 other than bad conduct or dishonorable from such service, or (iii) is a
37 discharged LGBT veteran, as defined in section ~~[three hundred fifty]~~ one
38 of the ~~[executive]~~ veterans' services law, and has received a discharge
39 other than bad conduct or dishonorable from such service.

40 § 41. The opening paragraph of subdivision 6, subdivision 7, paragraph
41 c of subdivision 9, and paragraph a of subdivisions 10 and 10-a of
42 section 503 of the education law, as amended by chapter 490 of the laws
43 of 2019, are amended to read as follows:

44 Credit for service in war after world war I, which shall mean military
45 service during the period commencing the first day of July, nineteen
46 hundred forty, and terminating the thirtieth day of June, nineteen
47 hundred forty-seven, or during the period commencing the twenty-seventh
48 day of June, nineteen hundred fifty, and terminating the thirty-first
49 day of January, nineteen hundred fifty-five, or during both such peri-
50 ods, as a member of the armed forces of the United States, of any person
51 who (i) has been honorably discharged or released under honorable
52 circumstances from such service, or (ii) has a qualifying condition, as
53 defined in section ~~[three hundred fifty]~~ one of the ~~[executive]~~ veter-
54 ans' services law, and has received a discharge other than bad conduct
55 or dishonorable from such service, or (iii) is a discharged LGBT veter-
56 an, as defined in section ~~[three hundred fifty]~~ one of the ~~[executive]~~

1 veterans' services law, and has received a discharge other than bad
2 conduct or dishonorable from such service, or service by one who was
3 employed by the War Shipping Administration or Office of Defense Trans-
4 portation or their agents as a merchant seaman documented by the United
5 States Coast Guard or Department of Commerce, or as a civil servant
6 employed by the United States Army Transport Service (later redesignated
7 as the United States Army Transportation Corps, Water Division) or the
8 Naval Transportation Service; and who served satisfactorily as a crew
9 member during the period of armed conflict, December seventh, nineteen
10 hundred forty-one, to August fifteenth, nineteen hundred forty-five,
11 aboard merchant vessels in oceangoing, i.e., foreign, intercoastal, or
12 coastwise service as such terms are defined under federal law (46 USCA
13 10301 & 10501) and further to include "near foreign" voyages between the
14 United States and Canada, Mexico, or the West Indies via ocean routes,
15 or public vessels in oceangoing service or foreign waters and who has
16 received a Certificate of Release or Discharge from Active Duty and a
17 discharge certificate, or an Honorable Service Certificate/Report of
18 Casualty, from the Department of Defense or who served as a United
19 States civilian employed by the American Field Service and served over-
20 seas under United States Armies and United States Army Groups in world
21 war II during the period of armed conflict, December seventh, nineteen
22 hundred forty-one through May eighth, nineteen hundred forty-five, and
23 (iv) who was discharged or released therefrom under honorable condi-
24 tions, or (v) has a qualifying condition, as defined in section [~~three~~
25 ~~hundred fifty~~] one of the [~~executive~~] veterans' services law, and has
26 received a discharge other than bad conduct or dishonorable from such
27 service, or (vi) is a discharged LGBT veteran, as defined in section
28 [~~three hundred fifty~~] one of the [~~executive~~] veterans' services law, and
29 has received a discharge other than bad conduct or dishonorable from
30 such service, or who served as a United States civilian Flight Crew and
31 Aviation Ground Support Employee of Pan American World Airways or one of
32 its subsidiaries or its affiliates and served overseas as a result of
33 Pan American's contract with Air Transport Command or Naval Air Trans-
34 port Service during the period of armed conflict, December fourteenth,
35 nineteen hundred forty-one through August fourteenth, nineteen hundred
36 forty-five, and who (vii) was discharged or released therefrom under
37 honorable conditions, or (viii) has a qualifying condition, as defined
38 in section [~~three hundred fifty~~] one of the [~~executive~~] veterans'
39 services law, and has received a discharge other than bad conduct or
40 dishonorable from such service, or (ix) is a discharged LGBT veteran, as
41 defined in section [~~three hundred fifty~~] one of the [~~executive~~] veter-
42 ans' services law, and has received a discharge other than bad conduct
43 or dishonorable from such service, and who was a teacher in the public
44 schools of this state at the time of his or her entrance into the armed
45 forces of the United States, provided no compensation was received under
46 the provisions of section two hundred forty-two of the military law, and
47 who returned to public school teaching following discharge or completion
48 of advanced education provided under servicemen's readjustment act of
49 nineteen hundred forty-four, or who following such discharge or release
50 entered into a service which would qualify him or her pursuant to
51 section forty-three of the retirement and social security law to trans-
52 fer his or her membership in the New York state teachers' retirement
53 system, shall be provided as follows, any provisions of section two
54 hundred forty-three of the military law to the contrary notwithstanding.
55 7. A teacher, who was a member of the New York state teachers retire-
56 ment system but who withdrew his or her accumulated contributions imme-

diately prior to his or her entry into, or during his or her service in the armed forces of the United States in war after World War I, who (i) has been honorably discharged or released from service, or (ii) has a qualifying condition, as defined in section ~~[three hundred fifty]~~ one of the ~~[executive]~~ veterans' services 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]~~ one of the ~~[executive]~~ veterans' services law, and has received a discharge other than bad conduct or dishonorable from such service, provided no compensation was received under the provisions of section two hundred forty-two of the military law, and who returned to public school teaching in the state of New York following such discharge or release, or following completion of advanced education provided under servicemen's readjustment act of nineteen hundred forty-four, any provisions of section two hundred forty-three of the military law to the contrary notwithstanding, will be entitled to credit for service in war after World War I, cost free, provided, however, that such credit will not be allowed until he or she claims and pays for all prior teaching service credited to him or her at the time of his or her termination of membership in the New York state teachers retirement system, and provided further that claim for such service in war after World War I shall be filed by the member with the retirement board before the first day of July, nineteen hundred sixty-eight.

c. (i) has been honorably discharged or released under honorable circumstances from such service, or (ii) has a qualifying condition, as defined in section ~~[three hundred fifty]~~ one of the ~~[executive]~~ veterans' services 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]~~ one of the ~~[executive]~~ veterans' services law, and has received a discharge other than bad conduct or dishonorable from such service, and

a. In addition to credit for military service pursuant to section two hundred forty-three of the military law and subdivisions six through nine of this section, a member employed as a full-time teacher by an employer as defined in subdivision three of section five hundred one of this article and who joined the retirement system prior to July first, nineteen hundred seventy-three, may obtain credit for military service not in excess of three years and not otherwise creditable under section two hundred forty-three of the military law and subdivisions six through nine of this section, rendered on active duty in the armed forces of the United States during the period commencing July first, nineteen hundred forty, and terminating December thirty-first, nineteen hundred forty-six, or on service by one 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

1 Release or Discharge from Active Duty and a discharge certificate, or an
2 Honorable Service Certificate/Report of Casualty, from the Department of
3 Defense or on service by one who served as a United States civilian
4 employed by the American Field Service and served overseas under United
5 States Armies and United States Army Groups in world war II during the
6 period of armed conflict, December seventh, nineteen hundred forty-one
7 through May eighth, nineteen hundred forty-five, and who (i) was
8 discharged or released therefrom under honorable conditions, or (ii) has
9 a qualifying condition, as defined in section [~~three hundred fifty~~] one
10 of the [~~executive~~] veterans' services law, and has received a discharge
11 other than bad conduct or dishonorable from such service, or (iii) is a
12 discharged LGBT veteran, as defined in section [~~three hundred fifty~~] one
13 of the [~~executive~~] veterans' services law, and has received a discharge
14 other than bad conduct or dishonorable from such service, or on service
15 by one who served as a United States civilian Flight Crew and Aviation
16 Ground Support Employee of Pan American World Airways or one of its
17 subsidiaries or its affiliates and served overseas as a result of Pan
18 American's contract with Air Transport Command or Naval Air Transport
19 Service during the period of armed conflict, December fourteenth, nine-
20 teen hundred forty-one through August fourteenth, nineteen hundred
21 forty-five, and who (iv) was discharged or released therefrom under
22 honorable conditions, or (v) has a qualifying condition, as defined in
23 section [~~three hundred fifty~~] one of the [~~executive~~] veterans' services
24 law, and has received a discharge other than bad conduct or dishonorable
25 from such service, or (vi) is a discharged LGBT veteran, as defined in
26 section [~~three hundred fifty~~] one of the [~~executive~~] veterans' services
27 law, and has received a discharge other than bad conduct or dishonorable
28 from such service, by a person who was a resident of New York state at
29 the time of entry into such service and at the time of being discharged
30 therefrom under honorable circumstances, and who makes the payments
31 required in accordance with the provisions of this subdivision.

32 a. In addition to credit for military service pursuant to section two
33 hundred forty-three of the military law and subdivisions six through
34 nine of this section, a member who joined the retirement system prior to
35 July first, nineteen hundred seventy-three, and who was not eligible for
36 credit for military service under subdivision ten of this section as a
37 result of being on a leave of absence without pay between July twenti-
38 eth, nineteen hundred seventy-six and October fifteenth, nineteen
39 hundred seventy-seven or on leave of absence with less than full pay
40 between July twentieth, nineteen hundred seventy-six and October
41 fifteenth, nineteen hundred seventy-seven, may obtain credit for mili-
42 tary service not in excess of three years and not otherwise creditable
43 under section two hundred forty-three of the military law and subdivi-
44 sions six through nine of this section, rendered on active duty in the
45 armed forces of the United States during the period commencing July
46 first, nineteen hundred forty, and terminating December thirty-first,
47 nineteen hundred forty-six, or on service by one who was employed by the
48 War Shipping Administration or Office of Defense Transportation or their
49 agents as a merchant seaman documented by the United States Coast Guard
50 or Department of Commerce, or as a civil servant employed by the United
51 States Army Transport Service (later redesignated as the United States
52 Army Transportation Corps, Water Division) or the Naval Transportation
53 Service; and who served satisfactorily as a crew member during the peri-
54 od of armed conflict, December seventh, nineteen hundred forty-one, to
55 August fifteenth, nineteen hundred forty-five, aboard merchant vessels
56 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 ocean-going 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 on service by one 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]~~ one of the ~~[executive]~~ veterans' services 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]~~ one of the ~~[executive]~~ veterans' services law, and has received a discharge other than bad conduct or dishonorable from such service, or on service by one 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 (iv) was discharged or released therefrom under honorable conditions, or (v) has a qualifying condition, as defined in section ~~[three hundred fifty]~~ one of the ~~[executive]~~ veterans' services 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]~~ one of the ~~[executive]~~ veterans' services law, and has received a discharge other than bad conduct or dishonorable from such service, by a person who was a resident of New York state at the time of entry into such service and at the time of being discharged therefrom under honorable circumstances, and who makes the payments required in accordance with the provisions of this subdivision.

§ 42. Subdivision 5 of section 605 of the education law, as amended by chapter 490 of the laws of 2019, is amended to read as follows:

5. Regents scholarships for war veterans. Regents scholarships for war veterans shall be awarded on a competitive basis, for study beginning with the college year nineteen hundred seventy-five--nineteen hundred seventy-six. Six hundred such scholarships shall be awarded in such year to veterans of the armed forces of the United States who have served on active duty (other than for training) between October one, nineteen hundred sixty-one and March twenty-nine, nineteen hundred seventy-three, and who on the date by which applications are required to be submitted (a) have been released from such active duty on conditions not other than honorable, or (b) have a qualifying condition, as defined in section ~~[three hundred fifty]~~ one of the ~~[executive]~~ veterans' services law, and have 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]~~ one of the ~~[executive]~~ veterans' services law, and have received a discharge other than bad conduct or dishonorable from such service. Such scholarships shall be allocated to each county in the state in the same ratio that the number of legal residents in such county, as determined by the most recent federal census, bears to the total number of residents in the state; provided,

1 however, that no county shall be allocated fewer scholarships than such
2 county received during the year nineteen hundred sixty-eight--sixty-
3 nine.

4 § 43. Subparagraph 3 of paragraph b of subdivision 3 of section 663 of
5 the education law, as amended by chapter 490 of the laws of 2019, is
6 amended to read as follows:

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

18 § 44. Paragraph (b) of subdivisions 1 and 2 of section 668 of the
19 education law, as amended by chapter 490 of the laws of 2019, are
20 amended to read as follows:

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

1 a qualifying condition, as defined in section [~~three hundred fifty~~] one
2 of the [~~executive~~] veterans' services law, and has received a discharge
3 other than bad conduct or dishonorable from such service, or (vi) is a
4 discharged LGBT veteran, as defined in section [~~three hundred fifty~~] one
5 of the [~~executive~~] veterans' services law, and has received a discharge
6 other than bad conduct or dishonorable from such service.

7 (b) (i) is an honorably discharged veteran of the United States or
8 member of the armed forces of the United States, or (ii) has a qualify-
9 ing condition, as defined in section [~~three hundred fifty~~] one of the
10 [~~executive~~] veterans' services law, and has received a discharge other
11 than bad conduct or dishonorable from such service, or (iii) is a
12 discharged LGBT veteran, as defined in section [~~three hundred fifty~~] one
13 of the [~~executive~~] veterans' services law, and has received a discharge
14 other than bad conduct or dishonorable from such service, who is a resi-
15 dent of the state of New York, and who has a current disability of forty
16 percent or more as a result of an injury or illness which is incurred or
17 was incurred during such military service; or

18 § 45. Subdivision 1 of section 668-c of the education law, as amended
19 by chapter 606 of the laws of 2021, is amended to read as follows:

20 1. Eligible students. Awards shall be made to Vietnam veterans' resi-
21 dent children born with Spina Bifida enrolled in approved undergraduate
22 or graduate programs at degree granting institutions. For the purpose of
23 this section, "Vietnam veteran" shall mean a person who served in Indo-
24 china at any time from the first day of November, nineteen hundred
25 fifty-five, to and including the seventh day of May, nineteen hundred
26 seventy-five and (a) was honorably discharged from the armed forces of
27 the United States, or (b) has a qualifying condition, as defined in
28 section [~~three hundred fifty~~] one of the [~~executive~~] veterans' services
29 law, and has received a discharge other than bad conduct or dishonorable
30 from the armed forces of the United States, or (c) is a discharged LGBT
31 veteran, as defined in section [~~three hundred fifty~~] one of the [~~execu-~~
32 ~~tive~~] veterans' services law, and has received a discharge other than
33 bad conduct or dishonorable from the armed forces of the United States;
34 "born with Spina Bifida" shall mean a diagnosis at birth of such disease
35 inclusive of all forms, manifestations, complications and associated
36 medical conditions thereof, but shall not include Spina Bifida Occulta.
37 Such diagnosis shall be in accordance with the provisions of the federal
38 Spina Bifida program and shall be documented by the United States Admin-
39 istration of Veterans' Affairs.

40 § 46. Paragraphs a, b, c and d of subdivision 1 of section 669-a of
41 the education law, paragraph a as amended by chapter 606 of the laws of
42 2021 and paragraphs b, c and d as amended by chapter 490 of the laws of
43 2019, are amended to read as follows:

44 a. "Vietnam veteran" means (i) a person who is a resident of this
45 state, (ii) who served in the armed forces of the United States in Indo-
46 china at any time from the first day of November, nineteen hundred
47 fifty-five, to and including the seventh day of May, nineteen hundred
48 seventy-five, and (iii) who was either discharged therefrom under honor-
49 able conditions, including but not limited to honorable discharge,
50 discharge under honorable conditions, or general discharge, or has a
51 qualifying condition, as defined in section [~~three hundred fifty~~] one of
52 the [~~executive~~] veterans' services law, and has received a discharge
53 other than bad conduct or dishonorable from such service, or is a
54 discharged LGBT veteran, as defined in section [~~three hundred fifty~~] one
55 of the [~~executive~~] veterans' services law, and has received a discharge
56 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 hostilities that occurred in the Persian Gulf from the second day of August, nineteen hundred ninety through the end of such hostilities, 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]~~ one of the ~~[executive]~~ veterans' services 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]~~ one of the ~~[executive]~~ veterans' services law, and has received a discharge other than bad conduct or dishonorable from such service.

c. "Afghanistan 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 hostilities that occurred in Afghanistan from the eleventh day of September, two thousand one, to the end of such hostilities, 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]~~ one of the ~~[executive]~~ veterans' services 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]~~ one of the ~~[executive]~~ veterans' services law, and has received a discharge other than bad conduct or dishonorable from such service.

d. "Other eligible combat veteran" means: an individual who (i) is a resident of this state, (ii) served in the armed forces of the United States in hostilities that occurred after February twenty-eighth, nineteen hundred sixty-one, as evidenced by their receipt of an Armed Forces Expeditionary Medal, Navy Expeditionary Medal, or Marine Corps Expeditionary Medal, and (iii) was either discharged 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]~~ one of the ~~[executive]~~ veterans' services 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]~~ one of the ~~[executive]~~ veterans' services law, and has received a discharge other than bad conduct or dishonorable from such service.

§ 47. Subdivision 1 of section 3202 of the education law, as amended by chapter 490 of the laws of 2019, is amended to read as follows:

1. A person over five and under twenty-one years of age who has not received a high school diploma is entitled to attend the public schools maintained in the district in which such person resides without the payment of tuition. Provided further that such person may continue to attend the public school in such district in the same manner, if temporarily residing outside the boundaries of the district when relocation to such temporary residence is a consequence of such person's parent or person in parental relationship being called to active military duty, other than training. Notwithstanding any other provision of law to the contrary, the school district shall not be required to provide transportation between a temporary residence located outside of the school district and the school the child attends. A veteran of any age who shall have served as a member of the armed forces of the United States and who (a) shall have been discharged therefrom under conditions other

1 than dishonorable, or (b) has a qualifying condition, as defined in
2 section [~~three hundred fifty~~ one] of the [~~executive~~] veterans' services
3 law, and has received a discharge other than bad conduct or dishonorable
4 from such service, or (c) is a discharged LGBT veteran, as defined in
5 section [~~three hundred fifty~~ one] of the [~~executive~~] veterans' services
6 law, and has received a discharge other than bad conduct or dishonorable
7 from such service, may attend any of the public schools of the state
8 upon conditions prescribed by the board of education, and such veterans
9 shall be included in the pupil count for state aid purposes. A nonveter-
10 an under twenty-one years of age who has received a high school diploma
11 shall be permitted to attend classes in the schools of the district in
12 which such person resides or in a school of a board of cooperative
13 educational services upon payment of tuition under such terms and condi-
14 tions as shall be established in regulations promulgated by the commis-
15 sioner; provided, however, that a school district may waive the payment
16 of tuition for such nonveteran, but in any case such a nonveteran who
17 has received a high school diploma shall not be counted for any state
18 aid purposes. Nothing herein contained shall, however, require a board
19 of education to admit a child who becomes five years of age after the
20 school year has commenced unless his or her birthday occurs on or before
21 the first of December.

22 § 48. Clause (h) of subparagraph 3 of paragraph b of subdivision 1 of
23 section 4402 of the education law, as amended by chapter 652 of the laws
24 of 2007, is amended to read as follows:

25 (h) Provide the form developed pursuant to subdivision [~~fifteen~~] twen-
26 ty-two of section [~~three hundred fifty-three~~] four of the [~~executive~~]
27 veterans' services law to the parent or person in parental relation of a
28 child designated by the committee as either disabled or emotionally
29 disturbed.

30 § 49. Subdivision 15 of section 1-104 of the election law, as amended
31 by chapter 490 of the laws of 2019, is amended to read as follows:

32 15. The term "veterans' hospital" means any sanitarium, hospital,
33 soldiers' and sailors' home, United States Veterans' Administration
34 Hospital, or other home or institution, which is used, operated and
35 conducted exclusively for the care, maintenance and treatment of persons
36 serving in the military or naval service or coast guard of the United
37 States or the state of New York, or persons who (a) were honorably
38 discharged from such service, or (b) have a qualifying condition, as
39 defined in section [~~three hundred fifty~~] one of the [~~executive~~] veter-
40 ans' services law, and have received a discharge other than bad conduct
41 or dishonorable from such service, or (c) are a discharged LGBT veteran,
42 as defined in section [~~three hundred fifty~~] one of the [~~executive~~]
43 veterans' services law, and have received a discharge other than bad
44 conduct or dishonorable from such service.

45 § 50. Subdivision 4 of section 5-210 of the election law, as amended
46 by chapter 490 of the laws of 2019, is amended to read as follows:

47 4. Any qualified person who has been honorably discharged from the
48 military after the twenty-fifth day before a general election, or who
49 has a qualifying condition, as defined in section [~~three hundred fifty~~]
50 one of the [~~executive~~] veterans' services law, and has received a
51 discharge other than bad conduct or dishonorable from the military after
52 the twenty-fifth day before a general election, or who is a discharged
53 LGBT veteran, as defined in section [~~three hundred fifty~~] one of the
54 [~~executive~~] veterans' services law, and has received a discharge other
55 than bad conduct or dishonorable from the military after the twenty-
56 fifth day before a general election, or who has become a naturalized

1 citizen after the twenty-fifth day before a general election may
2 personally register at the board of elections in the county of his or
3 her residence and vote in the general election held at least ten days
4 after such registration.

5 § 51. Subdivision 16 of section 11-0305 of the environmental conserva-
6 tion law, as amended by chapter 103 of the laws of 2012, is amended to
7 read as follows:

8 16. Notwithstanding any inconsistent provision of law, to authorize
9 free sport fishing clinics. A free sport fishing clinic shall include,
10 but not be limited to, instruction provided by employees of the depart-
11 ment or its designee in recreational angling, including its benefits and
12 values, and may also include instruction and other information relevant
13 to an understanding of fisheries management, ethics and aquatic ecology
14 and habitat. No license or recreational marine fishing registration is
15 required to take fish by angling while participating in a fishing clinic
16 conducted by the department or its designee that has been designated by
17 the commissioner as a free sport fishing clinic. Such clinics shall be
18 implemented consistent with department standards and in a manner deter-
19 mined by the department to best provide public notice thereof and to
20 maximize public participation therein, so as to promote the recreational
21 opportunities afforded by sport fishing. Further, the commissioner may
22 designate additional fishing events organized through the department
23 that provide physical or emotional rehabilitation for veterans, as
24 defined in subdivision three of section [~~three hundred fifty~~] one of the
25 [~~executive~~] veterans' services law, or active duty members of the armed
26 forces of the United States, as defined in 10 U.S.C. section 101(d)(1).
27 No license or recreational marine fishing registration shall be required
28 for such veterans or active duty members to take fish by angling while
29 participating in these events.

30 § 52. Subdivision 4 of section 11-0715 of the environmental conserva-
31 tion law, as amended by chapter 490 of the laws of 2019, is amended to
32 read as follows:

33 4. A person, resident in the state for at least thirty days immediate-
34 ly prior to the date of application, who (a) has been honorably
35 discharged from service in the armed forces of the United States, or (b)
36 has a qualifying condition, as defined in section [~~three hundred fifty~~]
37 one of the [~~executive~~] veterans' services law, and has received a
38 discharge other than bad conduct or dishonorable from such service, or
39 (c) is a discharged LGBT veteran, as defined in section [~~three hundred~~
40 ~~fifty~~] one of the [~~executive~~] veterans' services law, and has received a
41 discharge other than bad conduct or dishonorable from such service, and
42 is certified as having a forty percent or greater service-connected
43 disability is entitled to receive all licenses, privileges, tags, and
44 permits authorized by this title for which he or she is eligible, except
45 turkey permits, renewable each year for a five dollar fee.

46 § 53. Subparagraph (iv) of paragraph c of subdivision 1 of section
47 13-0328 of the environmental conservation law, as amended by chapter 490
48 of the laws of 2019, is amended to read as follows:

49 (iv) licenses shall be issued only to persons who demonstrate in a
50 manner acceptable to the department that they received an average of at
51 least fifteen thousand dollars of income over three consecutive years
52 from commercial fishing or fishing, or who successfully complete a
53 commercial food fish apprenticeship pursuant to subdivision seven of
54 this section. As used in this subparagraph, "commercial fishing" means
55 the taking and sale of marine resources including fish, shellfish, crus-
56 tacea or other marine biota and "fishing" means commercial fishing and

1 carrying fishing passengers for hire. Individuals who wish to qualify
2 based on income from "fishing" must hold a valid marine and coastal
3 district party and charter boat license. No more than ten percent of the
4 licenses issued each year based on income eligibility pursuant to this
5 paragraph shall be issued to applicants who qualify based solely upon
6 income derived from operation of or employment by a party or charter
7 boat. For the income evaluation of this subdivision, the department may
8 consider persons who would otherwise be eligible but for having served
9 in the United States armed forces on active duty, provided that such
10 individual (1) has received an honorable or general discharge, or (2)
11 has a qualifying condition, as defined in section ~~[three hundred fifty]~~
12 ~~one~~ of the ~~[executive]~~ veterans' services law, and has received a
13 discharge other than bad conduct or dishonorable from such service, or
14 (3) is a discharged LGBT veteran, as defined in section ~~[three hundred~~
15 ~~fifty]~~ ~~one~~ of the ~~[executive]~~ veterans' services law, and has received a
16 discharge other than bad conduct or dishonorable from such service,
17 shall not be deemed ineligible.

18 § 54. Subdivision 1 of section 130 of the executive law, as amended by
19 section 2 of part V of chapter 58 of the laws of 2020, is amended to
20 read as follows:

21 1. The secretary of state may appoint and commission as many notaries
22 public for the state of New York as in his or her judgment may be deemed
23 best, whose jurisdiction shall be co-extensive with the boundaries of
24 the state. The appointment of a notary public shall be for a term of
25 four years. An application for an appointment as notary public shall be
26 in form and set forth such matters as the secretary of state shall
27 prescribe. Every person appointed as notary public must, at the time of
28 his or her appointment, be a resident of the state of New York or have
29 an office or place of business in New York state. A notary public who is
30 a resident of the state and who moves out of the state but still main-
31 tains a place of business or an office in New York state does not vacate
32 his or her office as a notary public. A notary public who is a nonresi-
33 dent and who ceases to have an office or place of business in this
34 state, vacates his or her office as a notary public. A notary public who
35 is a resident of New York state and moves out of the state and who does
36 not retain an office or place of business in this state shall vacate his
37 or her office as a notary public. A non-resident who accepts the office
38 of notary public in this state thereby appoints the secretary of state
39 as the person upon whom process can be served on his or her behalf.
40 Before issuing to any applicant a commission as notary public, unless he
41 or she be an attorney and counsellor at law duly admitted to practice in
42 this state or a court clerk of the unified court system who has been
43 appointed to such position after taking a civil service promotional
44 examination in the court clerk series of titles, the secretary of state
45 shall satisfy himself or herself that the applicant is of good moral
46 character, has the equivalent of a common school education and is famil-
47 iar with the duties and responsibilities of a notary public; provided,
48 however, that where a notary public applies, before the expiration of
49 his or her term, for reappointment with the county clerk or where a
50 person whose term as notary public shall have expired applies within six
51 months thereafter for reappointment as a notary public with the county
52 clerk, such qualifying requirements may be waived by the secretary of
53 state, and further, where an application for reappointment is filed with
54 the county clerk after the expiration of the aforementioned renewal
55 period by a person who failed or was unable to re-apply by reason of his
56 or her induction or enlistment in the armed forces of the United States,

1 such qualifying requirements may also be waived by the secretary of
2 state, provided such application for reappointment is made within a
3 period of one year after the military discharge of the applicant under
4 conditions other than dishonorable, or if the applicant has a qualifying
5 condition, as defined in section [~~three hundred fifty of this chapter~~]
6 one of the veterans' services law, within a period of one year after the
7 applicant has received a discharge other than bad conduct or dishonor-
8 able from such service, or if the applicant is a discharged LGBT veter-
9 an, as defined in section [~~three hundred fifty of this chapter~~] one of
10 the veterans' services law, within a period of one year after the appli-
11 cant has received a discharge other than bad conduct or dishonorable
12 from such service. In any case, the appointment or reappointment of any
13 applicant is in the discretion of the secretary of state. The secretary
14 of state may suspend or remove from office, for misconduct, any notary
15 public appointed by him or her but no such removal shall be made unless
16 the person who is sought to be removed shall have been served with a
17 copy of the charges against him or her and have an opportunity of being
18 heard. No person shall be appointed as a notary public under this arti-
19 cle who has been convicted, in this state or any other state or territo-
20 ry, of a crime, unless the secretary makes a finding in conformance with
21 all applicable statutory requirements, including those contained in
22 article twenty-three-A of the correction law, that such convictions do
23 not constitute a bar to appointment.

24 § 55. Subdivision 1 of section 32 of the general business law, as
25 amended by chapter 490 of the laws of 2019, is amended to read as
26 follows:

27 1. Every member of the armed forces of the United States who (a) was
28 honorably discharged from such service, or (b) has a qualifying condi-
29 tion, as defined in section [~~three hundred fifty~~] one of the [~~executive~~]
30 veterans' services law, and has received a discharge other than bad
31 conduct or dishonorable from such service, or (c) is a discharged LGBT
32 veteran, as defined in section [~~three hundred fifty~~] one of the [~~execu-~~
33 ~~tive~~] veterans' services law, and has received a discharge other than
34 bad conduct or dishonorable from such service, and who is a resident of
35 this state and a veteran of any war, or who shall have served in the
36 armed forces of the United States overseas, and the surviving spouse of
37 any such veteran, if a resident of the state, shall have the right to
38 hawk, peddle, vend and sell goods, wares or merchandise or solicit trade
39 upon the streets and highways within the county of his or her residence,
40 as the case may be, or if such county is embraced wholly by a city,
41 within such city, by procuring a license for that purpose to be issued
42 as herein provided. No part of the lands or premises under the jurisdic-
43 tion of the division of the state fair in the department of agriculture
44 and markets, shall be deemed a street or highway within the meaning of
45 this section.

46 § 56. Section 35 of the general business law, as amended by chapter
47 490 of the laws of 2019, is amended to read as follows:

48 § 35. Municipal regulations. This article shall not affect the appli-
49 cation of any ordinance, by-law or regulation of a municipal corporation
50 relating to hawkers and peddlers within the limits of such corporations,
51 but the provisions of this article are to be complied with in addition
52 to the requirements of any such ordinance, by-law or regulation;
53 provided, however, that no such by-law, ordinance or regulation shall
54 prevent or in any manner interfere with the hawking or peddling, without
55 the use of any but a hand driven vehicle, in any street, avenue, alley,
56 lane or park of a municipal corporation, by any honorably discharged

1 member of the armed forces of the United States who (1) was honorably
2 discharged from such service, or (2) has a qualifying condition, as
3 defined in section [~~three hundred fifty~~] one of the [~~executive~~] veter-
4 ans' services law, and has received a discharge other than bad conduct
5 or dishonorable from such service, or (3) is a discharged LGBT veteran,
6 as defined in section [~~three hundred fifty~~] one of the [~~executive~~]
7 veterans' services law, and has received a discharge other than bad
8 conduct or dishonorable from such service, and who is physically disa-
9 bled as a result of injuries received while in the service of said armed
10 forces and the holder of a license granted pursuant to section thirty-
11 two of this article.

12 § 57. Paragraph (a) of subdivision 1 of section 35-a of the general
13 business law, as amended by chapter 490 of the laws of 2019, is amended
14 to read as follows:

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

36 § 58. Paragraph (b) of subdivision 3 of section 69-p of the general
37 business law, as amended by chapter 490 of the laws of 2019, is amended
38 to read as follows:

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

54 § 59. The closing paragraph of section 435 of the general business
55 law, as amended by chapter 490 of the laws of 2019, is amended to read
56 as follows:

1 In the case of persons who are or were in the military service and (a)
2 have been or will be discharged under conditions other than dishonor-
3 able, or (b) have a qualifying condition, as defined in section [~~three~~
4 ~~hundred-fifty~~] one of the [~~executive~~] veterans' services law, and
5 received a discharge other than bad conduct or dishonorable from such
6 service, or (c) are discharged LGBT veterans, as defined in section
7 [~~three-hundred-fifty~~] one of the [~~executive~~] veterans' services law, and
8 have received a discharge other than bad conduct or dishonorable from
9 such service, the period of one year specified in subdivision one of
10 this section and the period of six months specified in subdivision two
11 of this section need not be continuous. The length of time such person
12 was engaged in the practice of barbering before entering the military
13 service may be added to any period of time during which such person was
14 or is engaged in the practice of barbering after the termination of
15 military service.

16 § 60. Section 13-a of the general construction law, as amended by
17 chapter 490 of the laws of 2019, is amended to read as follows:

18 § 13-a. Armed forces of the United States. "Armed forces of the United
19 States" means the army, navy, marine corps, air force and coast guard,
20 including all components thereof, and the national guard when in the
21 service of the United States pursuant to call as provided by law.
22 Pursuant to this definition no person shall be considered a member or
23 veteran of the armed forces of the United States unless his or her
24 service therein is or was on a full-time active duty basis, other than
25 active duty for training or he or she was employed by the War Shipping
26 Administration or Office of Defense Transportation or their agents as a
27 merchant seaman documented by the United States Coast Guard or Depart-
28 ment of Commerce, or as a civil servant employed by the United States
29 Army Transport Service (later redesignated as the United States Army
30 Transportation Corps, Water Division) or the Naval Transportation
31 Service; and who served satisfactorily as a crew member during the peri-
32 od of armed conflict, December seventh, nineteen hundred forty-one, to
33 August fifteenth, nineteen hundred forty-five, aboard merchant vessels
34 in oceangoing, i.e., foreign, intercoastal, or coastwise service as such
35 terms are defined under federal law (46 USCA 10301 & 10501) and further
36 to include "near foreign" voyages between the United States and Canada,
37 Mexico, or the West Indies via ocean routes, or public vessels in ocean-
38 going service or foreign waters and who has received a Certificate of
39 Release or Discharge from Active Duty and a discharge certificate, or an
40 Honorable Service Certificate/Report of Casualty, from the Department of
41 Defense or he or she served as a United States civilian employed by the
42 American Field Service and served overseas under United States Armies
43 and United States Army Groups in world war II during the period of armed
44 conflict, December seventh, nineteen hundred forty-one through May
45 eighth, nineteen hundred forty-five, and (i) was discharged or released
46 therefrom under honorable conditions, or (ii) has a qualifying condi-
47 tion, as defined in section [~~three-hundred-fifty~~] one of the [~~executive~~]
48 veterans' services law, and has received a discharge other than bad
49 conduct or dishonorable from such service, or (iii) is a discharged LGBT
50 veteran, as defined in section [~~three-hundred-fifty~~] one of the [~~execu-~~
51 ~~tive~~] veterans' services law, and has received a discharge other than
52 bad conduct or dishonorable from such service, or he or she served as a
53 United States civilian Flight Crew and Aviation Ground Support Employee
54 of Pan American World Airways or one of its subsidiaries or its affil-
55 iates and served overseas as a result of Pan American's contract with
56 Air Transport Command or Naval Air Transport Service during the period

1 of armed conflict, December fourteenth, nineteen hundred forty-one
2 through August fourteenth, nineteen hundred forty-five, and (iv) was
3 discharged or released therefrom under honorable conditions, or (v) has
4 a qualifying condition, as defined in section ~~[three hundred fifty]~~ one
5 of the ~~[executive]~~ veterans' services 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]~~ one
8 of the ~~[executive]~~ veterans' services law, and has received a discharge
9 other than bad conduct or dishonorable from such service.

10 § 61. Subdivision 1 of section 77 of the general municipal law, as
11 amended by chapter 490 of the laws of 2019, is amended to read as
12 follows:

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

39 § 62. Paragraph (a) of subdivision 1 of section 148 of the general
40 municipal law, as amended by chapter 490 of the laws of 2019, is amended
41 to read as follows:

42 (a) The board of supervisors in each of the counties, or the board of
43 estimate in the city of New York, shall designate some proper person,
44 association or commission, other than that designated for the care of
45 burial of public charges or criminals, who shall cause to be interred
46 the body of any member of the armed forces of the United States who (i)
47 was honorably discharged from such service or (ii) had a qualifying
48 condition, as defined in section ~~[three hundred fifty]~~ one of the ~~[exec-~~
49 utive] veterans' services law, and received a discharge other than bad
50 conduct or dishonorable from such service, or (iii) was a discharged
51 LGBT veteran, as defined in section ~~[three hundred fifty]~~ one of the
52 ~~[executive]~~ veterans' services law, and received a discharge other than
53 bad conduct or dishonorable from such service, or the body of any minor
54 child or either parent, or the spouse or unremarried surviving spouse of
55 any such member of the armed forces of the United States, if such person

1 shall hereafter die in a county or in the city of New York without leav-
2 ing sufficient means to defray his or her funeral expenses.

3 § 63. Section 117-c of the highway law, as amended by chapter 490 of
4 the laws of 2019, is amended to read as follows:

5 § 117-c. Hawking, peddling, vending, sale of goods, wares or merchan-
6 dise; Erie county; certain areas. Notwithstanding any law to the contra-
7 ry, except section thirty-five of the general business law, the county
8 of Erie shall have the power to enact a local law prohibiting hawking,
9 peddling, vending and sale of goods, wares or merchandise or sollicita-
10 tion of trade in the right-of-way of county roads adjacent to arenas,
11 stadiums, auditoriums or like facilities, which contain fifty thousand
12 or more seats, which are used for events likely to attract large numbers
13 of spectators, including but not limited to home games of a National
14 Football League franchise. Provided, however, that the power to enact
15 such local law shall be subject to the requirement that provision be
16 made, by lease agreement, regulation or otherwise, for the hawking,
17 peddling, vending and sales of goods, wares or merchandise or sollicita-
18 tion of trade in designated vending areas on the ground of county-owned
19 lands leased for use as an arena, stadium or auditorium or like facility
20 which contain fifty thousand or more seats; and further provided that
21 members of the armed forces of the United States who (a) were honorably
22 discharged from such service, or (b) have a qualifying condition, as
23 defined in section [~~three hundred fifty~~] one of the [~~executive~~] veter-
24 ans' services law, and received a discharge other than bad conduct or
25 dishonorable from such service, or (c) are discharged LGBT veterans, as
26 defined in section [~~three hundred fifty~~] one of the [~~executive~~] veter-
27 ans' services law, and received a discharge other than bad conduct or
28 dishonorable from such service, and who are entitled to hawk, vend, sell
29 or peddle merchandise in the public right-of-way pursuant to sections
30 thirty-two and thirty-five of the general business law, shall be given
31 first preference in any assignment or vending locations or in the allo-
32 cation of such locations.

33 § 64. Paragraph 11 of subsection (j) of section 2103 of the insurance
34 law, as amended by chapter 490 of the laws of 2019, is amended to read
35 as follows:

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

47 § 65. Subparagraph (F) of paragraph 3 of subsection (e) and paragraph
48 2 of subsection (f) of section 2104 of the insurance law, as amended by
49 chapter 490 of the laws of 2019, are amended to read as follows:

50 (F) served as a member of the armed forces of the United States at any
51 time, and shall (i) have been discharged under conditions other than
52 dishonorable, or (ii) has a qualifying condition, as defined in section
53 [~~three hundred fifty~~] one of the [~~executive~~] veterans' services law, and
54 has received a discharge other than bad conduct or dishonorable from
55 such service, or (iii) is a discharged LGBT veteran, as defined in
56 section [~~three hundred fifty~~] one of the [~~executive~~] veterans' services

1 law, and has received a discharge other than bad conduct or dishonorable
2 from such service, and who within three years prior to his or her entry
3 into the armed forces held a license as insurance broker for similar
4 lines, provided his or her application for such license is filed before
5 one year from the date of final discharge; or

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

16 § 66. Paragraph 2 of subsection (i) of section 2108 of the insurance
17 law, as amended by chapter 490 of the laws of 2019, is amended to read
18 as follows:

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

29 § 67. Paragraph 10 of subsection (h) of section 2137 of the insurance
30 law, as amended by chapter 490 of the laws of 2019, is amended to read
31 as follows:

32 (10) No license fee shall be required of any person who served as a
33 member of the armed forces of the United States at any time and who (A)
34 shall have been discharged therefrom, under conditions other than
35 dishonorable, or (B) has a qualifying condition, as defined in section
36 [~~three hundred fifty~~] one of the [~~executive~~] veterans' services law, and
37 has received a discharge other than bad conduct or dishonorable from
38 such service, or (C) is a discharged LGBT veteran, as defined in section
39 [~~three hundred fifty~~] one of the [~~executive~~] veterans' services law, and
40 has received a discharge other than bad conduct or dishonorable from
41 such service, in a current licensing period, for the duration of such
42 period.

43 § 68. Paragraph 11 of subsection (i) of section 2139 of the insurance
44 law, as amended by chapter 490 of the laws of 2019, is amended to read
45 as follows:

46 (11) No license fee shall be required of any person who served as a
47 member of the armed forces of the United States at any time, and who (A)
48 shall have been discharged therefrom under conditions other than
49 dishonorable, or (B) has a qualifying condition, as defined in section
50 [~~three hundred fifty~~] one of the [~~executive~~] veterans' services law, and
51 has received a discharge other than bad conduct or dishonorable from
52 such service, or (C) is a discharged LGBT veteran, as defined in section
53 [~~three hundred fifty~~] one of the [~~executive~~] veterans' services law, and
54 has received a discharge other than bad conduct or dishonorable from
55 such service, in a current licensing period for the duration of such
56 period.

§ 69. Section 466 of the judiciary law, as amended by chapter 490 of the laws of 2019, is amended to read as follows:

§ 466. Attorney's oath of office. 1. Each person, admitted as prescribed in this chapter must, upon his or her admission, take the constitutional oath of office in open court, and subscribe the same in a roll or book, to be kept in the office of the clerk of the appellate division of the supreme court for that purpose.

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

§ 70. Subdivision 3 of section 20 of the military law, as amended by chapter 490 of the laws of 2019, is amended to read as follows:

3. Any person who has served as a commissioned or warrant officer in the organized militia or in the armed forces of the United States and (a) has been honorably discharged therefrom, or (b) has a qualifying condition, as defined in section ~~[three hundred fifty]~~ one of the ~~[executive]~~ veterans' services 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]~~ one of the ~~[executive]~~ veterans' services law, and has received a discharge other than bad conduct or dishonorable from such service, may be commissioned and placed on the state reserve list in the highest grade previously held by him or her after complying with such conditions as may be prescribed by regulations issued pursuant to this chapter.

§ 71. Paragraphs (b) and (c) of subdivision 1 and subparagraphs 1 and 2 of paragraph (a) of subdivision 4-b of section 243 of the military law, as amended by chapter 490 of the laws of 2019, are amended to read as follows:

(b) The term "military duty" shall mean military service in the military, naval, aviation or marine service of the United States subsequent to July first, nineteen hundred forty, or service under the selective training and service act of nineteen hundred forty, or the national guard and reserve officers mobilization act of nineteen hundred forty, or any other act of congress supplementary or amendatory thereto, or any similar act of congress hereafter enacted and irrespective of the fact that such service was entered upon following a voluntary enlistment therefor or was required under one of the foregoing acts of congress, or service with the United States public health service as a commissioned officer, or service with the American Red Cross while with the armed forces of the United States on foreign service, or service with the special services section of the armed forces of the United States on foreign service, or service in the merchant marine which shall consist of service as an officer or member of the crew on or in connection with a vessel documented under the laws of the United States or a vessel

1 owned by, chartered to, or operated by or for the account or use of the
2 government of the United States, or service by one who was employed by
3 the War Shipping Administration or Office of Defense Transportation or
4 their agents as a merchant seaman documented by the United States Coast
5 Guard or Department of Commerce, or as a civil servant employed by the
6 United States Army Transport Service (later redesignated as the United
7 States Army Transportation Corps, Water Division) or the Naval Transpor-
8 tation Service; and who served satisfactorily as a crew member during
9 the period of armed conflict, December seventh, nineteen hundred forty-
10 one, to August fifteenth, nineteen hundred forty-five, aboard merchant
11 vessels in oceangoing, i.e., foreign, intercoastal, or coastwise service
12 as such terms are defined under federal law (46 USCA 10301 & 10501) and
13 further to include "near foreign" voyages between the United States and
14 Canada, Mexico, or the West Indies via ocean routes, or public vessels
15 in oceangoing service or foreign waters and who has received a Certif-
16 icate of Release or Discharge from Active Duty and a discharge certif-
17 icate, or an Honorable Service Certificate/Report of Casualty, from the
18 Department of Defense, or who served as a United States civilian
19 employed by the American Field Service and served overseas under United
20 States Armies and United States Army Groups in world war II during the
21 period of armed conflict, December seventh, nineteen hundred forty-one
22 through May eighth, nineteen hundred forty-five, and who (i) was
23 discharged or released therefrom under honorable conditions, or (ii) has
24 a qualifying condition, as defined in section [~~three hundred fifty~~] one
25 of the [~~executive~~] veterans' services law, and has received a discharge
26 other than bad conduct or dishonorable from such service, or (iii) is a
27 discharged LGBT veteran, as defined in section [~~three hundred fifty~~] one
28 of the [~~executive~~] veterans' services law, and has received a discharge
29 other than bad conduct or dishonorable from such service, or who served
30 as a United States civilian Flight Crew and Aviation Ground Support
31 Employee of Pan American World Airways or one of its subsidiaries or its
32 affiliates and served overseas as a result of Pan American's contract
33 with Air Transport Command or Naval Air Transport Service during the
34 period of armed conflict, December fourteenth, nineteen hundred forty-
35 one through August fourteenth, nineteen hundred forty-five, and who (iv)
36 was discharged or released therefrom under honorable conditions, or (v)
37 has a qualifying condition, as defined in section [~~three hundred fifty~~]
38 one of the [~~executive~~] veterans' services law, and has received a
39 discharge other than bad conduct or dishonorable from such service, or
40 (vi) is a discharged LGBT veteran, as defined in section [~~three hundred~~
41 ~~fifty~~] one of the [~~executive~~] veterans' services law, and has received a
42 discharge other than bad conduct or dishonorable from such service; or
43 service in police duty on behalf of the United States government in a
44 foreign country, if such person is a police officer, as defined by
45 section 1.20 of the criminal procedure law, and if such police officer
46 obtained the prior consent of his or her public employer to absent
47 himself or herself from his or her position to engage in the performance
48 of such service; or as an enrollee in the United States maritime service
49 on active duty and, to such extent as may be prescribed by or under the
50 laws of the United States, any period awaiting assignment to such
51 service and any period of education or training for such service in any
52 school or institution under the jurisdiction of the United States
53 government, but shall not include temporary and intermittent gratuitous
54 service in any reserve or auxiliary force. It shall include time spent
55 in reporting for and returning from military duty and shall be deemed to
56 commence when the public employee leaves his or her position and to end

1 when he or she is reinstated to his or her position, provided such rein-
2 statement is within ninety days after the termination of military duty,
3 as hereinafter defined. Notwithstanding the foregoing provisions of this
4 paragraph, the term "military duty" shall not include any of the forego-
5 ing services entered upon voluntarily on or after January first, nine-
6 teen hundred forty-seven and before June twenty-fifth, nineteen hundred
7 fifty; and, on or after July first, nineteen hundred seventy, the term
8 "military duty" shall not include any voluntary service in excess of
9 four years performed after that date, or the total of any voluntary
10 services, additional or otherwise, in excess of four years performed
11 after that date, shall not exceed five years, if the service in excess
12 of four years is at the request and for the convenience of the federal
13 government, except if such voluntary service is performed during a peri-
14 od of war, or national emergency declared by the president.

15 (c) The term "termination of military duty" shall mean the date of a
16 certificate of honorable discharge or a certificate of completion of
17 training and service as set forth in the selective training and service
18 act of nineteen hundred forty, and the national guard and reserve offi-
19 cers mobilization act of nineteen hundred forty or, or a certificate of
20 release or discharge from active duty where an employee (i) has a quali-
21 fying condition, as defined in section [~~three hundred fifty~~] one of the
22 [~~executive~~] veterans' services law, and has received a discharge other
23 than bad conduct or dishonorable from such service, or (ii) is a
24 discharged LGBT veteran, as defined in section [~~three hundred fifty~~] one
25 of the [~~executive~~] veterans' services law, and has received a discharge
26 other than bad conduct or dishonorable from such service, or in the
27 event of the incurrence of a temporary disability arising out of and in
28 the course of such military duty, the date of termination of such disa-
29 bility. The existence and termination of such temporary disability, in
30 the case of a public employee occupying a position in the classified
31 civil service or of a person on an eligible list for a position in such
32 service, shall be determined by the civil service commission having
33 jurisdiction over such position and, in the case of a public employee
34 occupying a position not in the classified civil service, shall be
35 determined by the officer or body having the power of appointment.

36 (1) "New York city veteran of world war II". Any member of the New
37 York city employees' retirement system in city-service who, after his or
38 her last membership in such system began, served as a member of the
39 armed forces of the United States during the period beginning on Decem-
40 ber seventh, nineteen hundred forty-one and ending on December thirty-
41 first, nineteen hundred forty-six, and (i) was honorably discharged or
42 released under honorable circumstances from such service, or (ii) has a
43 qualifying condition, as defined in section [~~three hundred fifty~~] one of
44 the [~~executive~~] veterans' services law, and has received a discharge
45 other than bad conduct or dishonorable from such service, or (iii) is a
46 discharged LGBT veteran, as defined in section [~~three hundred fifty~~] one
47 of the [~~executive~~] veterans' services law, and has received a discharge
48 other than bad conduct or dishonorable from such service.

49 (2) "New York city veteran of the Korean conflict." Any member of the
50 New York city employees' retirement system in city-service who, after
51 his or her last membership in such system began, served as a member of
52 the armed forces of the United States during the period beginning on the
53 twenty-seventh of June, nineteen hundred fifty and ending on the thir-
54 ty-first day of January, nineteen hundred fifty-five, and (i) was honor-
55 ably discharged or released under honorable circumstances from such
56 service, or (ii) has a qualifying condition, as defined in section

1 ~~[three hundred fifty]~~ one of the ~~[executive]~~ veterans' services law, and
2 has received a discharge other than bad conduct or dishonorable from
3 such service, or (iii) is a discharged LGBT veteran, as defined in
4 section ~~[three hundred fifty]~~ one of the ~~[executive]~~ veterans' services
5 law, and has received a discharge other than bad conduct or dishonorable
6 from such service.

7 § 72. Section 245 of the military law, as amended by chapter 490 of
8 the laws of 2019, is amended to read as follows:

9 § 245. Retirement allowances of certain war veterans. 1. Any member
10 of a teachers' retirement system to which the city of New York is
11 required by law to make contributions on account of such member who (i)
12 is an honorably discharged member of any branch of the armed forces of
13 the United States, or (ii) has a qualifying condition, as defined in
14 section ~~[three hundred fifty]~~ one of the ~~[executive]~~ veterans' services
15 law, and has received a discharge other than bad conduct or dishonor-
16 able, or (iii) is a discharged LGBT veteran, as defined in section
17 ~~[three hundred fifty]~~ one of the ~~[executive]~~ veterans' services law, and
18 has received a discharge other than bad conduct or dishonorable, having
19 served as such during the time of war and who has attained the age of
20 fifty years, may retire upon his or her own request upon written appli-
21 cation to the board setting forth at what time not less than thirty days
22 subsequent to the execution and filing thereof he or she desires to be
23 retired, provided that such member at the time so specified for his or
24 her retirement shall have completed at least twenty-five years of allow-
25 able service. Upon retirement such member shall receive an annuity of
26 equivalent actuarial value to his or her accumulated deductions, and, in
27 addition, a pension beginning immediately, having a value equal to the
28 present value of the pension that would have become payable had he or
29 she continued at his or her current salary to the age at which he or she
30 would have first become eligible for service retirement, provided,
31 however, that the said member on making application for retirement shall
32 pay into the retirement fund a sum of money which calculated on an actu-
33 arial basis, together with his or her prior contributions and other
34 accumulations in said fund then to his or her credit, shall be suffi-
35 cient to entitle the said member to the same annuity and pension that he
36 or she would have received had he or she remained in the service of the
37 city until he or she had attained the age at which he or she otherwise
38 would have first become eligible for service retirement.

39 2. Notwithstanding any other provision of this section or of any
40 general, special or local law or code to the contrary, a member of any
41 such teachers' retirement system who (i) is separated or discharged
42 under honorable conditions from any branch of the armed forces of the
43 United States, or (ii) has a qualifying condition, as defined in section
44 ~~[three hundred fifty]~~ one of the ~~[executive]~~ veterans' services law, and
45 has received a discharge other than bad conduct or dishonorable, or
46 (iii) is a discharged LGBT veteran, as defined in section ~~[three hundred~~
47 ~~fifty]~~ one of the ~~[executive]~~ veterans' services law, and has received a
48 discharge other than bad conduct or dishonorable, having served as such
49 during the time of war and who has attained the age of fifty years, may
50 retire upon his or her own request upon written application to the board
51 setting forth at what time, not less than thirty days subsequent to the
52 execution and filing thereof, he or she desires to be retired, provided
53 that such member at that time so specified for his or her retirement
54 shall have completed at least twenty-five years of allowable service.
55 Upon reaching his or her previously selected minimum retirement age,
56 such member shall receive an annuity of equivalent actuarial value, at

1 that time, to his or her accumulated deductions, and, in addition, a
2 pension based upon his or her credited years of allowable service, plus
3 the pension-for-increased-take-home-pay, if any. Should such member die
4 before reaching his or her retirement age, then any beneficiary under a
5 selected option shall be eligible for benefits under such option at the
6 date upon which the member would have reached his or her selected
7 retirement age.

8 § 73. Subdivision 1-b of section 247 of the military law, as amended
9 by chapter 490 of the laws of 2019, is amended to read as follows:

10 1-b. The adjutant general is hereby authorized to present in the name
11 of the legislature of the state of New York, a certificate, to be known
12 as the "Cold War Certificate", bearing a suitable inscription, to any
13 person: (i) who is a citizen of the state of New York or (ii) who was a
14 citizen of the state of New York while serving in the armed forces of
15 the United States; (iii) who served in the United States Armed Forces
16 during the period of time from September second, nineteen hundred
17 forty-five through December twenty-sixth, nineteen hundred ninety-one,
18 commonly known as the Cold War Era; and (iv) who was honorably
19 discharged or released under honorable circumstances during the Cold War
20 Era, or has a qualifying condition, as defined in section [~~three hundred~~
21 ~~fifty~~] one of the [~~executive~~] veterans' services law, and received a
22 discharge other than bad conduct or dishonorable during the Cold War
23 Era, or is a discharged LGBT veteran, as defined in section [~~three~~
24 ~~hundred fifty~~] one of the [~~executive~~] veterans' services law, and
25 received a discharge other than bad conduct or dishonorable during the
26 Cold War Era. Not more than one Cold War Certificate shall be awarded or
27 presented, under the provisions of this subdivision, to any person whose
28 entire service subsequent to the time of the receipt of such medal shall
29 not have been honorable. In the event of the death of any person during
30 or subsequent to the receipt of such certificate it shall be presented
31 to such representative of the deceased as may be designated. The adju-
32 tant general, in consultation with the [~~director~~] commissioner of the
33 [~~division~~] department of veterans' services, shall make such rules and
34 regulations as may be deemed necessary for the proper presentation and
35 distribution of the certificate.

36 § 74. Section 249 of the military law, as amended by chapter 490 of
37 the laws of 2019, is amended to read as follows:

38 § 249. State and municipal officers and employees granted leaves of
39 absence on July fourth in certain cases. Each officer and employee of
40 the state or of a municipal corporation or of any other political subdi-
41 vision thereof who was a member of the national guard or naval militia
42 or a member of the reserve corps at a time when the United States was
43 not at war and who (i) has been honorably discharged therefrom, or (ii)
44 has a qualifying condition, as defined in section [~~three hundred fifty~~
45 one] of the [~~executive~~] veterans' services law, and has received a
46 discharge other than bad conduct or dishonorable from such service, or
47 (iii) is a discharged LGBT veteran, as defined in section [~~three hundred~~
48 ~~fifty~~] one of the [~~executive~~] veterans' services law, and has received a
49 discharge other than bad conduct or dishonorable from such service,
50 shall, in so far as practicable, be entitled to absent himself or
51 herself from [~~his~~] duties or service, with pay, on July fourth of each
52 year. Notwithstanding the provisions of any general, special or local
53 law or the provisions of any city charter, no such officer or employee
54 shall be subjected by any person whatever directly or indirectly by
55 reason of such absence to any loss or diminution of vacation or holiday
56 privilege or be prejudiced by reason of such absence with reference to

1 promotion or continuance in office or employment or to reappointment to
2 office or to re-employment.

3 § 75. Subparagraph 2 of paragraph b of subdivision 1 of section 156 of
4 the public housing law, as amended by chapter 490 of the laws of 2019,
5 is amended to read as follows:

6 (2) (i) have been thereafter discharged or released therefrom under
7 conditions other than dishonorable, or (ii) have a qualifying condition,
8 as defined in section ~~[three hundred fifty]~~ one of the ~~[executive]~~
9 veterans' services law, and have received a discharge other than bad
10 conduct or dishonorable from such service, or (iii) are discharged LGBT
11 veterans, as defined in section ~~[three hundred fifty]~~ one of the ~~[execu-~~
12 ~~tive]~~ veterans' services law, and have received a discharge other than
13 bad conduct or dishonorable from such service, or (iv) died in such
14 service, not more than five years prior to the time of application for
15 admission to such project, and

16 § 76. The opening paragraph and paragraph (d) of subdivision 1 of
17 section 2632 of the public health law, as amended by chapter 490 of the
18 laws of 2019, are amended to read as follows:

19 Every veteran of the armed forces of the United States, who (i) (A)
20 was separated or discharged under honorable conditions after serving on
21 active duty therein for a period of not less than thirty days, or (B)
22 has a qualifying condition, as defined in section ~~[three hundred fifty]~~
23 one of the ~~[executive]~~ veterans' services law, and has received a
24 discharge other than bad conduct or dishonorable after serving on active
25 duty therein for a period of not less than thirty days, or (C) is a
26 discharged LGBT veteran, as defined in section ~~[three hundred fifty]~~ one
27 of the ~~[executive]~~ veterans' services 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, or (ii) (A) was sepa-
30 rated or discharged under honorable conditions after serving on active
31 duty therein for a period of not less than thirty days or (B) has a
32 qualifying condition, as defined in section ~~[three hundred fifty]~~ one of
33 the ~~[executive]~~ veterans' services law, and has received a discharge
34 other than bad conduct or dishonorable after serving on active duty
35 therein for a period of not less than thirty days, or (C) is a
36 discharged LGBT veteran, as defined in section ~~[three hundred fifty]~~ one
37 of the ~~[executive]~~ veterans' services law, and has received a discharge
38 other than bad conduct or dishonorable after serving on active duty
39 therein for a period of not less than thirty days, and who was a recipi-
40 ent of the armed forces expeditionary medal, navy expeditionary medal or
41 marine corps expeditionary medal for participation in operations in
42 Lebanon from June first, nineteen hundred eighty-three to December
43 first, nineteen hundred eighty-seven, in Grenada from October twenty-
44 third, nineteen hundred eighty-three to November twenty-first, nineteen
45 hundred eighty-three, or in Panama from December twentieth, nineteen
46 hundred eighty-nine to January thirty-first, nineteen hundred ninety, or
47 in Bosnia and Herzegovina from November twenty-first, nineteen hundred
48 ninety-five to November first, two thousand seven, or was a recipient of
49 the Kosovo campaign medal or (iii) (A) was separated or discharged under
50 honorable conditions after serving on active duty therein for a period
51 of not less than thirty days or (B) has a qualifying condition, as
52 defined in section ~~[three hundred fifty]~~ one of the ~~[executive]~~ veter-
53 ans' services law, and has received a discharge other than bad conduct
54 or dishonorable after serving on active duty therein for a period of not
55 less than thirty days, or (C) is a discharged LGBT veteran, as defined
56 in section ~~[three hundred fifty]~~ one of the ~~[executive]~~ veterans'

1 services law, and has received a discharge other than bad conduct or
2 dishonorable after serving on active duty therein for a period of not
3 less than thirty days, and who served during the period of actual
4 hostilities of either

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

48 § 77. Subdivision 5 of section 2805-b of the public health law, as
49 amended by section 21 of part AA of chapter 56 of the laws of 2019, is
50 amended to read as follows:

51 5. The staff of a general hospital shall: (a) inquire whether or not
52 the person admitted has served in the United States armed forces. Such
53 information shall be listed on the admissions form; (b) notify any
54 admittee who is a veteran of the possible availability of services at a
55 hospital operated by the United States veterans health administration,
56 and, upon request by the admittee, such staff shall make arrangements

1 for the individual's transfer to a United States veterans health admin-
2 istration hospital, provided, however, that transfers shall be author-
3 ized only after it has been determined, according to accepted clinical
4 and medical standards, that the patient's condition has stabilized and
5 transfer can be accomplished safely and without complication; and (c)
6 provide any admittee who has served in the United States armed forces
7 with a copy of the "Information for Veterans concerning Health Care
8 Options" fact sheet, maintained by the ~~[division]~~ department of veter-
9 ans' services pursuant to subdivision ~~[twenty-three]~~ twenty-nine of
10 section ~~[three hundred fifty-three]~~ four of the ~~[executive]~~ veterans'
11 services law prior to discharging or transferring the patient. The
12 commissioner shall promulgate rules and regulations for notifying such
13 admittees of possible available services and for arranging a requested
14 transfer.

15 § 78. Subdivision 2 of section 2805-o of the public health law, as
16 amended by chapter 609 of the laws of 2021, is amended to read as
17 follows:

18 2. Every nursing home, residential health care facility and assisted
19 living residences shall in writing advise all individuals identifying
20 themselves as veterans or spouses of veterans that the ~~[division]~~
21 department of veterans' services and local veterans' service agencies
22 established pursuant to section ~~[three hundred fifty-seven]~~ fourteen of
23 the ~~[executive]~~ veterans' services law to provide assistance to veterans
24 and their spouses regarding benefits under federal and state law. Such
25 written information shall include the name, address and telephone number
26 of the New York state ~~[division]~~ department of veterans' services, the
27 nearest ~~[division]~~ department of veterans' services office, the nearest
28 county or city veterans' service agency and the nearest accredited
29 veterans' service officer.

30 § 79. Subdivision 3 of section 3422 of the public health law, as
31 amended by chapter 490 of the laws of 2019, is amended to read as
32 follows:

33 3. A candidate who fails to attain a passing grade on his or her
34 licensing examination is entitled to a maximum of three re-examinations;
35 provided, however, that if such candidate fails to attain a passing
36 grade within three years after completion of his or her training, he or
37 she must requalify in accordance with the provisions of the public
38 health law and rules and regulations promulgated thereunder existing and
39 in force as of the date of subsequent application for licensing examina-
40 tion, except that a satisfactorily completed required course of study
41 need not be recompleted. A candidate inducted into the armed forces of
42 the United States during or after completion of training may (a) after
43 honorable discharge or (b) after a discharge other than bad conduct or
44 dishonorable where the candidate (i) has a qualifying condition, as
45 defined in section ~~[three hundred fifty]~~ one of the ~~[executive]~~ veter-
46 ans' services law, or (ii) is a discharged LGBT veteran, as defined in
47 section ~~[three hundred fifty]~~ one of the ~~[executive]~~ veterans' services
48 law, and upon proper application as required by the department be eligi-
49 ble for an exemption with respect to time served in such service.

50 § 80. Section 63 of the public officers law, as amended by chapter 606
51 of the laws of 2021, is amended to read as follows:

52 § 63. Leave of absence for veterans on Memorial day and Veterans' day.
53 It shall be the duty of the head of every public department and of every
54 court of the state of New York, of every superintendent or foreman on
55 the public works of said state, of the county officers of the several
56 counties of said state, of the town officers of the various towns in

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

enth, nineteen hundred fifty and January thirty-first, nineteen hundred fifty-five, or during the period of the Vietnam conflict from the twenty-eighth day of February, nineteen hundred sixty-one to the seventh day of May, nineteen hundred seventy-five, or (ii) who served on active duty in the armed forces of the United States and 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, or (iii) who served in the armed forces of a foreign country allied with the United States during world war I or world war II, or during the period of the Korean conflict at any time between June twenty-seventh, nineteen hundred fifty and January thirty-first, nineteen hundred fifty-five, or during the period of the Vietnam conflict from the first day of November, nineteen hundred fifty-five to the seventh day of May, nineteen hundred seventy-five, or during the period of the Persian Gulf conflict from the second day of August, nineteen hundred ninety to the end of such conflict, or who served on active duty in the army or navy or marine corps or air force or coast guard of the United States, and who (a) was honorably discharged or separated from such service under honorable conditions, or (b) has a qualifying condition, as defined in section ~~[three hundred fifty]~~ one of the ~~[executive]~~ veterans' services 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]~~ one of the ~~[executive]~~ veterans' services law, and has received a discharge other than bad conduct or dishonorable from such service except where such action would endanger the public safety or the safety or health of persons cared for by the state, in which event such persons shall be entitled to leave of absence with pay on another day in lieu thereof. All such persons who are compensated on a per diem, hourly, semi-monthly or monthly basis, with or without maintenance, shall also be entitled to leave of absence with pay under the provisions of this section and no deduction in vacation allowance or budgetary allowable number of working days shall be made in lieu thereof. A refusal to give such leave of absence to one entitled thereto shall be neglect of duty.

§ 81. Subdivision 3 of section 1271 of the private housing finance law, as amended by chapter 490 of the laws of 2019, 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]~~ one of the ~~[executive]~~ veterans' services 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]~~ one of the ~~[executive]~~ veterans' services law.

1 ans' services law, and has received a discharge other than bad conduct
2 or dishonorable from such service.

3 § 82. Subdivisions 2 and 4-a of section 458 of the real property tax
4 law, as amended by chapter 490 of the laws of 2019, are amended to read
5 as follows:

6 2. Real property purchased with moneys collected by popular
7 subscription in partial recognition of extraordinary services rendered
8 by any veteran of world war one, world war two, or of the hostilities
9 which commenced June twenty-seventh, nineteen hundred fifty, who (a) was
10 honorably discharged from such service, or (b) has a qualifying condi-
11 tion, as defined in section [~~three hundred fifty~~ one of the [~~executive~~
12 veterans' services law, and has received a discharge other than bad
13 conduct or dishonorable from such service, or (c) is a discharged LGBT
14 veteran, as defined in section [~~three hundred fifty~~ one of the [~~execu-~~
15 ~~tive~~] veterans' services law, and has received a discharge other than
16 bad conduct or dishonorable from such service, and who sustained perma-
17 nent disability while on military duty, either total or partial, and
18 owned by the person who sustained such injuries, or by his or her spouse
19 or unremarried surviving spouse, or dependent father or mother, is
20 subject to taxation as herein provided. Such property shall be assessed
21 in the same manner as other real property in the tax district. At the
22 meeting of the assessors to hear complaints concerning the assessments,
23 a verified application for the exemption of such real property from
24 taxation may be presented to them by or on behalf of the owner thereof,
25 which application must show the facts on which the exemption is claimed,
26 including the amount of moneys so raised and used in or toward the
27 purchase of such property. No exemption on account of any such gift
28 shall be allowed in excess of five thousand dollars. The application for
29 exemption shall be presented and action thereon taken in the manner
30 provided by subdivision one of this section. If no application for
31 exemption be granted, the property shall be subject to taxation for all
32 purposes. The provisions herein, relating to the assessment and
33 exemption of property purchased with moneys raised by popular
34 subscription, apply and shall be enforced in each municipal corporation
35 authorized to levy taxes.

36 4-a. For the purposes of this section, the term "military or naval
37 services" shall be deemed to also include service: (a) by a person who
38 was employed by the War Shipping Administration or Office of Defense
39 Transportation or their agents as a merchant seaman documented by the
40 United States Coast Guard or Department of Commerce, or as a civil serv-
41 ant employed by the United States Army Transport Service (later redesign-
42 ated as the United States Army Transportation Corps, Water Division) or
43 the Naval Transportation Service; and who served satisfactorily as a
44 crew member during the period of armed conflict, December seventh, nine-
45 teen hundred forty-one, to August fifteenth, nineteen hundred forty-
46 five, aboard merchant vessels in oceangoing, i.e., foreign, inter-
47 coastal, or coastwise service as such terms are defined under federal
48 law (46 USCA 10301 & 10501) and further to include "near foreign"
49 voyages between the United States and Canada, Mexico, or the West Indies
50 via ocean routes, or public vessels in oceangoing service or foreign
51 waters and who has received a Certificate of Release or Discharge from
52 Active Duty and a discharge certificate, or an Honorable Service
53 Certificate/Report of Casualty, from the department of defense; (b)
54 service by a United States civilian employed by the American Field
55 Service who served overseas under United States Armies and United States
56 Army Groups in world war II during the period of armed conflict, Decem-

ber 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]~~ one of the ~~[executive]~~ veterans' services 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]~~ one of the ~~[executive]~~ veterans' services law, and has received a discharge other than bad conduct or dishonorable from such service; or (c) service by a United States civilian Flight Crew and Aviation Ground Support Employee of Pan American World Airways or one of its subsidiaries or its affiliates who 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 (i) was discharged or released therefrom under honorable conditions, or (ii) has a qualifying condition, as defined in section ~~[three hundred fifty]~~ one of the ~~[executive]~~ veterans' services 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]~~ one of the ~~[executive]~~ veterans' services law, and has received a discharge other than bad conduct or dishonorable from such service.

§ 83. Paragraph (e) of subdivision 1 and subdivisions 9 and 10 of section 458-a of the real property tax law, paragraph (e) of subdivision 1 and subdivision 10 as amended by chapter 490 of the laws of 2019, subdivision 9 as amended by section 36 of part AA of chapter 56 of the laws of 2019, are 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]~~ one of the ~~[executive]~~ veterans' services 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]~~ one of the ~~[executive]~~ veterans' services 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

1 and United States Army Groups in world war II during the period of armed
2 conflict, December seventh, nineteen hundred forty-one through May
3 eighth, nineteen hundred forty-five, and who (1) was discharged or
4 released therefrom under honorable conditions, or (2) has a qualifying
5 condition, as defined in section [~~three hundred fifty~~] one of the [~~exec-~~
6 ~~utive~~] veterans' services law, and has received a discharge other than
7 bad conduct or dishonorable from such service, or (3) is a discharged
8 LGBT veteran, as defined in section [~~three hundred fifty~~] one of the
9 [~~executive~~] veterans' services law, and has received a discharge other
10 than bad conduct or dishonorable from such service, (iv) who served as a
11 United States civilian Flight Crew and Aviation Ground Support Employee
12 of Pan American World Airways or one of its subsidiaries or its affil-
13 iates and served overseas as a result of Pan American's contract with
14 Air Transport Command or Naval Air Transport Service during the period
15 of armed conflict, December fourteenth, nineteen hundred forty-one
16 through August fourteenth, nineteen hundred forty-five, and who (1) was
17 discharged or released therefrom under honorable conditions, or (2) has
18 a qualifying condition, as defined in section [~~three hundred fifty~~] one
19 of the [~~executive~~] veterans' services law, and has received a discharge
20 other than bad conduct or dishonorable from such service, or (3) is a
21 discharged LGBT veteran, as defined in section [~~three hundred fifty~~] one
22 of the [~~executive~~] veterans' services law, and has received a discharge
23 other than bad conduct or dishonorable from such service, or (v)
24 notwithstanding any other provision of law to the contrary, who are
25 members of the reserve components of the armed forces of the United
26 States who (1) received an honorable discharge or release therefrom
27 under honorable conditions, or (2) has a qualifying condition, as
28 defined in section [~~three hundred fifty~~] one of the [~~executive~~] veter-
29 ans' services law, and has received a discharge other than bad conduct
30 or dishonorable from such service, or (3) is a discharged LGBT veteran,
31 as defined in section [~~three hundred fifty~~] one of the [~~executive~~]
32 veterans' services law, and has received a discharge other than bad
33 conduct or dishonorable from such service, but are still members of the
34 reserve components of the armed forces of the United States provided
35 that such members meet all other qualifications under the provisions of
36 this section.

37 9. The commissioner shall develop in consultation with the [~~director~~]
38 commissioner of the New York state [~~division~~] department of veterans'
39 services a listing of documents to be used to establish eligibility
40 under this section, including but not limited to a certificate of
41 release or discharge from active duty also known as a DD-214 form or an
42 Honorable Service Certificate/Report of [~~Causality~~] Casualty from the
43 department of defense. Such information shall be made available to each
44 county, city, town or village assessor's office, or congressional char-
45 tered veterans service officers who request such information. The list-
46 ing of acceptable military records shall be made available on the inter-
47 net websites of the [~~division~~] department of veterans' services and the
48 office of real property tax services.

49 10. A county, city, town, village or school district may adopt a local
50 law or resolution to include those military personnel who served in the
51 Reserve component of the United States Armed Forces that were deemed on
52 active duty under Executive Order 11519 signed March twenty-third, nine-
53 teen hundred seventy, 35 Federal Register 5003, dated March twenty-
54 fourth, nineteen hundred seventy and later designated by the United
55 States Department of Defense as Operation Graphic Hand, if such member
56 (1) was discharged or released therefrom under honorable conditions, or

(2) has a qualifying condition, as defined in section ~~[three hundred fifty]~~ one of the ~~[executive]~~ veterans' services 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]~~ one of the ~~[executive]~~ veterans' services law, and has received a discharge other than bad conduct or dishonorable from such service, provided that such veteran meets all other qualifications of this section.

§ 84. Paragraph (a) of subdivision 1 and subdivision 8 of section 458-b of the real property tax law, paragraph (a) of subdivision 1 as amended by chapter 490 of the laws of 2019, subdivision 8 as amended by section 37 of part AA of chapter 56 of the laws of 2019, are amended to read as follows:

(a) "Cold War veteran" means a person, male or female, who served on active duty in the United States armed forces, during the time period from September second, nineteen hundred forty-five to December twenty-sixth, nineteen hundred ninety-one, and (i) was discharged or released therefrom under honorable conditions, or (ii) has a qualifying condition, as defined in section ~~[three hundred fifty]~~ one of the ~~[executive]~~ veterans' services 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]~~ one of the ~~[executive]~~ veterans' services law, and has received a discharge other than bad conduct or dishonorable from such service.

8. The commissioner shall develop in consultation with the ~~[director]~~ commissioner of the New York state ~~[division]~~ department of veterans' services a listing of documents to be used to establish eligibility under this section, including but not limited to a certificate of release or discharge from active duty also known as a DD-214 form or an Honorable Service Certificate/Report of ~~[Causality]~~ Casualty from the department of defense. Such information shall be made available to each county, city, town or village assessor's office, or congressional chartered veterans service officers who request such information. The listing of acceptable military records shall be made available on the internet websites of the ~~[division]~~ department of veterans' services and the office of real property tax services.

§ 85. Subparagraph (v) of paragraph (a) of subdivision 1 of section 122 of the social services law, as amended by chapter 490 of the laws of 2019, is amended to read as follows:

(v) any alien lawfully residing in the state who is on active duty in the armed forces (other than active duty for training) or who (1) has received an honorable discharge (and not on account of alienage) from the armed forces, or (2) has a qualifying condition, as defined in section ~~[three hundred fifty]~~ one of the ~~[executive]~~ veterans' services law, and has received a discharge other than bad conduct or dishonorable (and not on account of alienage) from the armed forces, or (3) is a discharged LGBT veteran, as defined in section ~~[three hundred fifty]~~ one of the ~~[executive]~~ veterans' services law, and has received a discharge other than bad conduct or dishonorable (and not on account of alienage) from the armed forces, or the spouse, unremarried surviving spouse or unmarried dependent child of any such alien, if such alien, spouse or dependent child is a qualified alien as defined in section 431 of the federal personal responsibility and work opportunity reconciliation act of 1996 (8 U.S. Code 1641), as amended;

§ 86. Subdivision 1 and paragraph 5 of subdivision 2 of section 168 of the social services law, as amended by chapter 490 of the laws of 2019, are 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]~~ one of the ~~[executive]~~ veterans' services 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]~~ one of the ~~[executive]~~ veterans' services law, and has received a discharge other than bad conduct or dishonorable from such service.

(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]~~ one of the ~~[executive]~~ veterans' services 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]~~ one of the ~~[executive]~~ veterans' services 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 during the period of armed conflict, December fourteenth, nineteen hundred forty-one through August fourteenth, nineteen hundred forty-five, and who (iv) was

1 discharged or released therefrom under honorable conditions, or (v) has
2 a qualifying condition, as defined in section [~~three hundred fifty~~] one
3 of the [~~executive~~] veterans' services law, and has received a discharge
4 other than bad conduct or dishonorable from such service, or (vi) is a
5 discharged LGBT veteran, as defined in section [~~three hundred fifty~~] one
6 of the [~~executive~~] veterans' services law, and has received a discharge
7 other than bad conduct or dishonorable from such service.

8 § 87. Subparagraph 1 of paragraph (b) of subdivision 29 of section
9 210-B of the tax law, as amended by chapter 490 of the laws of 2019, is
10 amended to read as follows:

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

25 § 88. Subparagraph (A) of paragraph 2 of subsection (a-2) of section
26 606 of the tax law, as amended by chapter 490 of the laws of 2019, is
27 amended to read as follows:

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

42 § 89. Paragraph 18-a of subdivision (a) of section 1115 of the tax
43 law, as added by chapter 478 of the laws of 2016, is amended to read as
44 follows:

45 (18-a) Tangible personal property manufactured and sold by a veteran,
46 as defined in section [~~three hundred sixty-four~~] twenty-two of the
47 [~~executive~~] veterans' services law, for the benefit of a veteran's
48 service organization, provided that such person or any member of his or
49 her household does not conduct a trade or business in which similar
50 items are sold, the first two thousand five hundred dollars of receipts
51 from such sales in a calendar year.

52 § 90. Subparagraph (A) of paragraph 2 of subdivision (g-1) of section
53 1511 of the tax law, as amended by chapter 490 of the laws of 2019, is
54 amended to read as follows:

55 (A) who served on active duty in the United States army, navy, air
56 force, marine corps, coast guard or the reserves thereof, or who served

1 in active military service of the United States as a member of the army
2 national guard, air national guard, New York guard or New York naval
3 militia; who (i) was released from active duty by general or honorable
4 discharge after September eleventh, two thousand one, or (ii) has a
5 qualifying condition, as defined in section [~~three hundred fifty~~] one of
6 the [~~executive~~] veterans' services law, and has received a discharge
7 other than bad conduct or dishonorable from such service after September
8 eleventh, two thousand one, or (iii) is a discharged LGBT veteran, as
9 defined in section [~~three hundred fifty~~] one of the [~~executive~~] veter-
10 ans' services law, and has received a discharge other than bad conduct
11 or dishonorable from such service after September eleventh, two thousand
12 one;

13 § 91. Section 295 of the town law, as amended by chapter 490 of the
14 laws of 2019, is amended to read as follows:

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

1 fixed in said order, upon filing proof of publication of the order to
2 show cause with the judge, if no objection is made thereto, he or she
3 shall make an order directing the removal of the remains of said
4 deceased member or members of the armed forces to the cemetery design-
5 nated in the petition within the town or city or within a town adjoining
6 the town or city in which the remains are then buried and shall specify
7 in the order the amount of the expenses of such removal, which expenses
8 of removal and reinterment, including the expense of the proceeding
9 under this section, shall be a charge upon the county in which the town
10 or city is situated from which the removal is made and such expenses
11 shall be a county charge and audited by the board of supervisors of the
12 county and paid in the same manner as other county charges. On and after
13 the removal and reinterment of the remains of the deceased member or
14 members of the armed forces in the armed forces' plot, the expenses for
15 annual care of the grave in the armed forces' burial plot to which the
16 removal is made shall be annually provided by the town or city in which
17 the remains were originally buried, at the rate of not to exceed twenty
18 dollars per grave, and shall be paid annually to the incorporated ceme-
19 tery association to which the remains of each deceased member of the
20 armed forces may be removed and reinterred. The petition and order shall
21 be filed in the county clerk's office of the county in which the remains
22 of the deceased member of the armed forces were originally interred, and
23 the service of a certified copy of the final order upon the cemetery
24 association shall be made prior to any removal. Any relative of the
25 deceased member or members of the armed forces, or the officer of any
26 cemetery association in which the remains of the deceased member or
27 members of the armed forces were originally interred, or the authorities
28 of the county in which the member or members of the armed forces were
29 originally buried, may oppose the granting of said order and the judge
30 shall summarily hear the statement of the parties and make such order as
31 the justice and equity of the application shall require. Any headstone
32 or monument which marks the grave of the deceased member of the armed
33 forces shall be removed and reset at the grave in the cemetery in which
34 the removal is permitted to be made and in each case the final order
35 shall provide the amount of the expenses of such removals and reinter-
36 ment and resetting of the headstone or monument, including the expenses
37 of the proceedings under this section; except that where provision is
38 otherwise made for the purchase or erection of a new headstone, monument
39 or marker at the grave in the cemetery to which such removal is permit-
40 ted, such old headstone or monument need not be so removed and reset, in
41 which case such final order shall not provide for the expense of reset-
42 ting. The order shall designate the person or persons having charge of
43 the removals and reinterments. Upon completion of the removal, reinter-
44 ment and resetting of the headstones or monuments, the person or persons
45 having charge of the same shall make a verified report of the removal,
46 reinterment and resetting of the headstone or monument and file the
47 report in the clerk's office of the proper county. The words "member of
48 the armed forces" shall be construed to mean a member of the armed forc-
49 es who served in the armed forces of the United States and who (5) was
50 honorably discharged from such service, or (6) has a qualifying condi-
51 tion, as defined in section [~~three hundred fifty~~] one of the [~~executive~~]
52 veterans' services law, and has received a discharge other than bad
53 conduct or dishonorable from such service, or (7) is a discharged LGBT
54 veteran, as defined in section [~~three hundred fifty~~] one of the [~~execu-~~
55 ~~tive~~] veterans' services law, and has received a discharge other than
56 bad conduct or dishonorable from such service, and the words "armed

forces plot" shall be construed to mean a plot of land in any incorporated cemetery set apart to be exclusively used as a place for interring the remains of deceased veterans of the armed forces of the United States.

§ 92. Subdivision 2 of section 404-v of the vehicle and traffic law, as amended by chapter 490 of the laws of 2019, is amended to read as follows:

2. The distinctive plate authorized pursuant to this section shall be issued upon proof, satisfactory to the commissioner, that the applicant is a veteran who served in the United States Naval Armed Guard and who (1) was honorably discharged from such service, or (2) has a qualifying condition, as defined in section ~~[three hundred fifty]~~ one of the ~~[executive]~~ veterans' services 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]~~ one of the ~~[executive]~~ veterans' services law, and has received a discharge other than bad conduct or dishonorable from such service.

§ 93. Subdivision 3 of section 404-v of the vehicle and traffic law, as amended by section 19 of part AA of chapter 56 of the laws of 2019, is amended to read as follows:

3. A distinctive plate issued pursuant to this section shall be issued in the same manner as other number plates upon the payment of the regular registration fee prescribed by section four hundred one of this article, provided, however, that an additional annual service charge of fifteen dollars shall be charged for such plate. Such annual service charge shall be deposited to the credit of the Eighth Air Force Historical Society fund established pursuant to section ninety-five-f of the state finance law and shall be used for veterans' counseling services provided by local veterans' service agencies pursuant to section ~~[three hundred fifty-seven]~~ fourteen of the ~~[executive]~~ veterans' services law under the direction of the ~~[division]~~ department of veterans' services. Provided, however, that one year after the effective date of this section funds in the amount of five thousand dollars, or so much thereof as may be available, shall be allocated to the department to offset costs associated with the production of such license plates.

§ 94. Paragraphs (a) and (b) of subdivision 1 of section 404-w of the vehicle and traffic law, as amended by chapter 490 of the laws of 2019, are amended to read as follows:

(a) a person who served in the armed forces of the United States in the hostilities that occurred in the Persian Gulf from the eleventh day of September, two thousand one, to the end of such hostilities, who (i) was discharged therefrom under other than dishonorable conditions, or (ii) has a qualifying condition, as defined in section ~~[three hundred fifty]~~ one of the ~~[executive]~~ veterans' services 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]~~ one of the ~~[executive]~~ veterans' services law, and has received a discharge other than bad conduct or dishonorable from such service; or

(b) a person who served in the armed forces of the United States in the hostilities that occurred in Afghanistan from the eleventh day of September, two thousand one, to the end of such hostilities, who (i) was discharged therefrom under other than dishonorable conditions, or (ii) has a qualifying condition, as defined in section ~~[three hundred fifty]~~ one of the ~~[executive]~~ veterans' services 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~~

1 ~~fifty~~ one of the ~~[executive]~~ veterans' services law, and has received a
2 discharge other than bad conduct or dishonorable from such service.

3 § 95. Subdivision 3 of section 404-w of the vehicle and traffic law,
4 as amended by chapter 490 of the laws of 2019, is amended to read as
5 follows:

6 3. For the purposes of this section, "Persian Gulf veteran" shall mean
7 a person who is a resident of this state, who served in the armed forces
8 of the United States in the hostilities that occurred in the Persian
9 Gulf from the second day of August, nineteen hundred ninety to the end
10 of such hostilities, and was (a) honorably discharged from the military,
11 or (b) has a qualifying condition, as defined in section ~~[three hundred~~
12 ~~fifty]~~ one of the ~~[executive]~~ veterans' services law, and has received a
13 discharge other than bad conduct or dishonorable from such service, or
14 (c) is a discharged LGBT veteran, as defined in section ~~[three hundred~~
15 ~~fifty]~~ one of the ~~[executive]~~ veterans' services law, and has received a
16 discharge other than bad conduct or dishonorable from such service.

17 § 96. Paragraphs (a) and (b) of subdivision 3 of section 404-y of the
18 vehicle and traffic law, as amended by chapter 490 of the laws of 2019,
19 are amended to read as follows:

20 (a) "Veteran of the Iraq War" shall mean a person who is a resident of
21 this state, who served in the armed forces of the United States in the
22 hostilities that occurred in Iraq from the sixteenth day of October, two
23 thousand two to the end of such hostilities who (i) was discharged there-
24 from under other than dishonorable conditions or (ii) has a qualifying
25 condition, as defined in section ~~[three hundred fifty]~~ one of the ~~[exec-~~
26 ~~utive]~~ veterans' services law, and has received a discharge other than
27 bad conduct or dishonorable from such service, or (iii) is a discharged
28 LGBT veteran, as defined in section ~~[three hundred fifty]~~ one of the
29 ~~[executive]~~ veterans' services law, and has received a discharge other
30 than bad conduct or dishonorable from such service; and

31 (b) "Veteran of the Afghanistan War" shall mean a person who is a
32 resident of this state, who served in the armed forces of the United
33 States in the hostilities that occurred in Afghanistan from the seventh
34 day of October, two thousand one to the end of such hostilities who (i)
35 was discharged therefrom under other than dishonorable conditions or
36 (ii) has a qualifying condition, as defined in section ~~[three hundred~~
37 ~~fifty]~~ one of the ~~[executive]~~ veterans' services law, and has received a
38 discharge other than bad conduct or dishonorable from such service, or
39 (iii) is a discharged LGBT veteran, as defined in section ~~[three hundred~~
40 ~~fifty]~~ one of the ~~[executive]~~ veterans' services law, and has received a
41 discharge other than bad conduct or dishonorable from such service.

42 § 97. Paragraph (b) of subdivision 3 of section 490 of the vehicle and
43 traffic law, as amended by chapter 490 of the laws of 2019, is amended
44 to read as follows:

45 (b) The identification card shall contain a distinguishing number or
46 mark and adequate space upon which an anatomical gift, pursuant to arti-
47 cle forty-three of the public health law, by the holder may be recorded
48 and shall contain such other information and shall be issued in such
49 form as the commissioner shall determine; provided, however, every iden-
50 tification card or renewal thereof issued to a person under the age of
51 twenty-one years shall have prominently imprinted thereon the statement
52 "UNDER 21 YEARS OF AGE" in notably distinctive print or format.
53 Provided, further, however, that every identification card issued to an
54 applicant who was a member of the armed forces of the United States and
55 (i) received an honorable discharge or was released therefrom under
56 honorable conditions, or (ii) has a qualifying condition, as defined in

1 section [~~three hundred fifty~~ one] of the [~~executive~~ veterans' services
2 law, and has received a discharge other than bad conduct or dishonorable
3 from such service, or (iii) is a discharged LGBT veteran, as defined in
4 section [~~three hundred fifty~~ one] of the [~~executive~~ veterans' services
5 law, and has received a discharge other than bad conduct or dishonorable
6 from such service, shall, upon his or her request and submission of
7 proof as set forth herein, contain a distinguishing mark, in such form
8 as the commissioner shall determine, indicating that he or she is a
9 veteran. Such proof shall consist of a certificate of release or
10 discharge from active duty including but not limited to a DD Form 214 or
11 other proof satisfactory to the commissioner. The commissioner shall not
12 require fees for the issuance of such identification cards or renewals
13 thereof to persons under twenty-one years of age which are different
14 from the fees required for the issuance of identification cards or
15 renewals thereof to persons twenty-one years of age or over, nor fees to
16 persons requesting a veteran distinguishing mark which are different
17 from fees that would otherwise be required. Provided, however, that
18 notwithstanding the provisions of section four hundred ninety-one of
19 this article, the commissioner shall not require any fees for the dupli-
20 cation or amendment of an identification card prior to its renewal if
21 such duplication or amendment was solely for the purpose of adding a
22 veteran distinguishing mark to such identification card.

23 § 98. Paragraph (a-1) of subdivision 1 of section 504 of the vehicle
24 and traffic law, as amended by chapter 490 of the laws of 2019, is
25 amended to read as follows:

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

48 § 99. The second undesignated subparagraph of paragraph (a) of subdivi-
49 sion 8 of section 15 of the workers' compensation law, as amended by
50 chapter 490 of the laws of 2019, is amended to read as follows:

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

1 service, or (iii) are discharged LGBT veterans, as defined in section
2 [~~three hundred fifty~~] one of the [~~executive~~] veterans' services law, and
3 received a discharge other than bad conduct or dishonorable from such
4 service, or any other physically handicapped persons, is of vital impor-
5 tance to the state and its people and is of concern to this legislature;

6 § 100. Transfer of powers of the division of veterans' services. The
7 functions and powers possessed by and all of the obligations and duties
8 of the division of veterans' services, as established pursuant to arti-
9 cle 17 of the executive law and other laws, shall be transferred and
10 assigned to, and assumed by and devolved upon, the department of veter-
11 ans' services.

12 § 101. Abolition of the division of veterans' services. Upon the
13 transfer pursuant to this act of the functions and powers possessed by
14 and all of the obligations and duties of the division of veterans'
15 services, as established pursuant to article 17 of the executive law and
16 other laws, the division of veterans' services shall be abolished.

17 § 102. Continuity of authority of the division of veterans' services.
18 Except as herein otherwise provided, upon the transfer pursuant to this
19 act of the functions and powers possessed by, and all of the obligations
20 and duties of, the division of veterans' services, as established pursu-
21 ant to article 17 of the executive law and other laws, to the department
22 of veterans' services as prescribed by this act, for the purpose of
23 succession, all functions, powers, duties and obligations of the depart-
24 ment of veterans' services shall be deemed and be held to constitute the
25 continuation of such functions, powers, duties and obligations and not a
26 different agency.

27 § 103. Transfer of records of the division of veterans' services. Upon
28 the transfer pursuant to this act of the functions and powers possessed
29 by and all of the obligations and duties of the division of veterans'
30 services, as established pursuant to article 17 of the executive law and
31 other laws, to the department of veterans' services as prescribed by
32 this act, all books, papers, records and property pertaining to the
33 division of veterans' services shall be transferred to and maintained by
34 the department of veterans' services.

35 § 104. Completion of unfinished business of the division of veterans'
36 services. Upon the transfer pursuant to this act of the functions and
37 powers possessed by and all of the obligations and duties of the divi-
38 sion of veterans' services, as established pursuant to article 17 of the
39 executive law and other laws, to the department of veterans' services as
40 prescribed by this act, any business or other matter undertaken or
41 commenced by the division of veterans' services pertaining to or
42 connected with the functions, powers, obligations and duties so trans-
43 ferred and assigned to the department of veterans' services, may be
44 conducted or completed by the department of veterans' services.

45 § 105. Terms occurring in laws, contracts or other documents of or
46 pertaining to the division of veterans' services. Upon the transfer
47 pursuant to this act of the functions and powers possessed by and all of
48 the obligations and duties of the division of veterans' services, as
49 established pursuant to article 17 of the executive law and other laws,
50 as prescribed by this act, whenever the division of veterans' services
51 and the commissioner thereof, the functions, powers, obligations and
52 duties of which are transferred to the department of veterans' services,
53 are referred to or designated in any law, regulation, contract or docu-
54 ment pertaining to the functions, powers, obligations and duties trans-
55 ferred and assigned pursuant to this act, such reference or designation

1 shall be deemed to refer to the department of veterans' services and its
2 commissioner.

3 § 106. (a) Wherever the term "division of veterans' services" appears
4 in the consolidated or unconsolidated laws of this state, such term is
5 hereby changed to "department of veterans' services".

6 (b) The legislative bill drafting commission is hereby directed to
7 effectuate this provision, and shall be guided by a memorandum of
8 instruction setting forth the specific provisions of law to be amended.
9 Such memorandum shall be transmitted to the legislative bill drafting
10 commission within sixty days of enactment of this provision. Such memo-
11 randum shall be issued jointly by the governor, the temporary president
12 of the senate and the speaker of the assembly, or by the delegate of
13 each.

14 § 107. Existing rights and remedies of or pertaining to the division
15 of veterans' services. Upon the transfer pursuant to this act of the
16 functions and powers possessed by and all of the obligations and duties
17 of the division of veterans' services, as established pursuant to arti-
18 cle 17 of the executive law and other laws, to the department of veter-
19 ans' services as prescribed by this act, no existing right or remedy of
20 the state, including the division of veterans' services, shall be lost,
21 impaired or affected by reason of this act.

22 § 108. Pending actions and proceedings of or pertaining to the divi-
23 sion of veterans' services. Upon the transfer pursuant to this act of
24 the functions and powers possessed by and all of the obligations and
25 duties of the division of veterans' services, as established pursuant to
26 article 17 of the executive law and other laws, to the department of
27 veterans' services as prescribed by this act, no action or proceeding
28 pending on the effective date of this act, brought by or against the
29 division of veterans' services or the commissioner thereof shall be
30 affected by any provision of this act, but the same may be prosecuted or
31 defended in the name of the New York state department of veterans'
32 services. In all such actions and proceedings, the New York state
33 department of veterans' services, upon application to the court, shall
34 be substituted as a party.

35 § 109. Continuation of rules and regulations of or pertaining to the
36 division of veterans' services. Upon the transfer pursuant to this act
37 of the functions and powers possessed by and all the obligations and
38 duties of the division of veterans' services, as established pursuant to
39 article 17 of the executive law and other laws, to the department of
40 veterans' services as prescribed by this act, all rules, regulations,
41 acts, orders, determinations, decisions, licenses, registrations and
42 charters of the division of veterans' services, pertaining to the func-
43 tions transferred and assigned by this act to the department of veter-
44 ans' services, in force at the time of such transfer, assignment,
45 assumption or devolution shall continue in force and effect as rules,
46 regulations, acts, determinations and decisions of the department of
47 veterans' services until duly modified or repealed.

48 § 110. Transfer of appropriations heretofore made to the division of
49 veterans' services. Upon the transfer pursuant to this act of the func-
50 tions and powers possessed by and all of the obligations and duties of
51 the division of veterans' services, as established pursuant to article
52 17 of the executive law and other laws, to the department of veterans'
53 services as prescribed by this act, all appropriations and reappropri-
54 ations which shall have been made available as of the date of such
55 transfer to the division of veterans' services or segregated pursuant to
56 law, to the extent of remaining unexpended or unencumbered balances

1 thereof, whether allocated or unallocated and whether obligated or unob-
2 ligated, shall be transferred to and made available for use and expendi-
3 ture by the department of veterans' services and shall be payable on
4 vouchers certified or approved by the commissioner of taxation and
5 finance, on audit and warrant of the comptroller. Payments of liabil-
6 ities for expenses of personnel services, maintenance and operation
7 which shall have been incurred as of the date of such transfer by the
8 division of veterans' services, and for liabilities incurred and to be
9 incurred in completing its affairs shall also be made on vouchers certi-
10 fied or approved by the commissioner of veterans' services, on audit and
11 warrant of the comptroller.

12 § 111. Transfer of employees. Upon the transfer pursuant to this act
13 of the functions and powers possessed by and all of the division of
14 veterans' services, as established pursuant to article 17 of the execu-
15 tive law and other laws, to the department of veterans' services as
16 prescribed by this act, provision shall be made for the transfer of all
17 employees from the division of veterans' services into the department of
18 veterans' services. Employees so transferred shall be transferred with-
19 out further examination or qualification to the same or similar titles
20 and shall remain in the same collective bargaining units and shall
21 retain their respective civil service classifications, status and rights
22 pursuant to their collective bargaining units and collective bargaining
23 agreements.

24 § 112. Severability. If any clause, sentence, paragraph, section or
25 part of this act shall be adjudged by any court of competent jurisdic-
26 tion to be invalid, such judgment shall not affect, impair or invalidate
27 the remainder thereof, but shall be confined in its operation to the
28 clause, sentence, paragraph, section or part thereof directly involved
29 in the controversy in which such judgment shall have been rendered.

30 § 113. This act shall take effect on the one hundred eightieth day
31 after it shall have become a law; provided, however, that the amendments
32 to subdivision (1) of section 7.09 of the mental hygiene law made by
33 section fifteen of this act shall not affect the repeal of such subdivi-
34 sion and shall be deemed repealed therewith; and provided further that
35 the amendments to paragraph j of subdivision 1 and subdivisions 6 and
36 6-d of section 163 of the state finance law made by section twenty-eight
37 of this act shall not affect the repeal of such section and shall be
38 deemed to be repealed therewith; and provided further, that if section 2
39 of part AA of chapter 56 of the laws of 2021 shall not have taken effect
40 on or before such date, then section thirty of this act shall take
41 effect on the same date and in the same manner as such chapter of the
42 laws of 2021, takes effect; and provided further that the amendments to
43 subdivision 3 of section 103-a of the state technology law made by
44 section thirty-one of this act shall not affect the repeal of such
45 section and shall be deemed to be repealed therewith; and provided
46 further, that if chapter 609 of the laws of 2021 shall not have taken
47 effect on or before such date, then section seventy-eight of this act
48 shall take effect on the same date and in the same manner as such chap-
49 ter of the laws of 2021 takes effect. Effective immediately, the addi-
50 tion, amendment and/or repeal of any rule or regulation necessary for
51 the implementation of this act on its effective date are authorized to
52 be made on or before such date.