

STATE OF NEW YORK

2091--C

2021-2022 Regular Sessions

IN SENATE

January 19, 2021

Introduced by Sens. JORDAN, ADDABBO, AKSHAR, GALLIVAN, GRIFFO, HELMING, O'MARA -- read twice and ordered printed, and when printed to be committed to the Committee on Veterans, Homeland Security and Military Affairs -- reported favorably from said committee, ordered to first and second report, ordered to a third reading, amended and ordered reprinted, retaining its place in the order of third reading -- recommitted to the Committee on Veterans, Homeland Security and Military Affairs in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the military law, in relation to the issuance of a New York State Korean War Commemorative Medal

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

1 Section 1. Section 247 of the military law is amended by adding a new
2 subdivision 1-d to read as follows:

3 1-d. The governor is hereby authorized to present in the name of the
4 legislature of the state of New York, a medal, to be known as the "New
5 York State Korean War Commemorative Medal", bearing a suitable
6 inscription, to any person: (i) who is a resident of the state of New
7 York, or (ii) who was a resident of the state of New York while serving
8 in the armed forces of the United States; (iii) who served in the United
9 States Armed Forces, defined as army, air force, navy, marine corps, or
10 coast guard, or the organized militia defined as the army national
11 guard, the air national guard, the New York naval militia or the New
12 York guard, on active duty on the Korean peninsula, its contiguous
13 waters, or its airspace in the Korean War defined as the period of time
14 from June twenty-seventh, nineteen hundred fifty through January thir-
15 ty-first, nineteen hundred fifty-five; and (iv) who was honorably
16 discharged or released under honorable circumstances or who has a quali-

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

LBD01390-07-2

1 lying condition, as defined in section three hundred fifty of the execu-
2 tive law, and received a discharge other than bad conduct or dishonor-
3 able discharge, or is a discharged LGBT veteran, as defined in section
4 three hundred fifty of the executive law, and received a discharge other
5 than bad conduct or dishonorable discharge. No person shall receive more
6 than one New York State Korean War Commemorative Medal. In the event of
7 the death of any person prior to the receipt of such commemorative
8 medal, such commemorative medal shall be presented to the designated
9 representative of the deceased. The adjutant general, in consultation
10 with the director of the division of veterans' services, shall make such
11 rules and regulations as may be deemed necessary for the proper presen-
12 tation and distribution of such medals.

13 § 2. Subdivision 4 of section 247 of the military law, as amended by
14 chapter 332 of the laws of 2018, is amended to read as follows:

15 4. This section shall not be construed to require that a recipient of
16 the conspicuous service cross, the conspicuous service star, the Cold
17 War Certificate [~~or~~], the New York State Silver Rose Veterans Service
18 Certificate or the New York State Korean War Commemorative Medal has
19 been a resident of the state of New York at the time of his or her entry
20 into the United States army, air force, navy, or marine corps[~~, or nurs-~~
21 ~~es corps~~].

22 § 3. This act shall take effect on the one hundred twentieth day after
23 it shall have become a law. The division of military and naval affairs
24 is authorized to promulgate any and all rules and regulations and take
25 any other measures necessary to implement the provisions of this act on
26 its effective date on or before such date.