

# STATE OF NEW YORK

5232

2021-2022 Regular Sessions

## IN SENATE

February 26, 2021

Introduced by Sen. SKOUFIS -- read twice and ordered printed, and when printed to be committed to the Committee on Veterans, Homeland Security and Military Affairs

AN ACT to amend the civil service law, the education law, the executive law, the general business law, the military law, the parks, recreation and historic preservation law, the real property tax law, the social services law, the vehicle and traffic law and the workers' compensation law, in relation to removing the requirement that a veteran served during wartime to be granted certain benefits

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

1 Section 1. Subdivision 1 of section 55-c of the civil service law, as  
2 amended by chapter 340 of the laws of 2008, is amended to read as  
3 follows:  
4 1. The commission may determine up to five hundred positions with  
5 duties such as can be performed by disabled veterans and veterans with  
6 disabilities who are found otherwise qualified to perform satisfactorily  
7 the duties of any such position. Upon such determination, the said posi-  
8 tions shall be classified in the noncompetitive class, and may be filled  
9 only by veterans of the armed forces of the United States [~~who served~~  
10 ~~therein during time of war, as defined in paragraph (c) of subdivision~~  
11 ~~one of section eighty-five of this chapter~~], and (a) who establish by  
12 appropriate documentary evidence that they are disabled veterans, as  
13 defined in paragraph (b) of subdivision one of section eighty-five of  
14 this chapter, or (b) by those veterans, as defined in paragraph (a) of  
15 subdivision one of section eighty-five of this chapter, who shall have  
16 been certified by the employee health service of the department as being  
17 disabled but capable of performing the duties of said positions. Prior-  
18 ity in certification and referral of both such disabled veterans and  
19 certified disabled but capable veterans shall be given to those veterans  
20 who received a wound in combat, as documented by the awarding of the

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

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1 purple heart, as authorized by the United States department of defense,  
2 and that wound is the cause of, or a substantially contributing factor  
3 to, the degree of impairment, who otherwise meet the requirements of  
4 this section. The number of veterans appointed pursuant to this section  
5 shall not exceed five hundred.

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

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

27 § 3. Paragraph (a) of subdivision 1 of section 85 of the civil service  
28 law, as amended by chapter 490 of the laws of 2019, is amended to read  
29 as follows:

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

43 § 4. Section 86 of the civil service law, as amended by chapter 490 of  
44 the laws of 2019, is amended to read as follows:

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

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

21   § 5. Paragraph c of subdivision 1 of section 360 of the education law,  
22   as amended by chapter 490 of the laws of 2019, is amended to read as  
23   follows:

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

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

54   5. Regents scholarships for ~~[war]~~ veterans. Regents scholarships for  
55   ~~[war]~~ veterans shall be awarded on a competitive basis, for study begin-  
56   ning with the college year nineteen hundred seventy-five--nineteen

1 hundred seventy-six. Six hundred such scholarships shall be awarded in  
2 such year to veterans of the armed forces of the United States who have  
3 served on active duty (other than for training) between October one,  
4 nineteen hundred sixty-one and March twenty-nine, nineteen hundred  
5 seventy-three, and who on the date by which applications are required to  
6 be submitted (a) have been released from such active duty on conditions  
7 not other than honorable, or (b) have a qualifying condition, as defined  
8 in section three hundred fifty of the executive law, and have received a  
9 discharge other than bad conduct or dishonorable from such service, or  
10 (c) are discharged LGBT veterans, as defined in section three hundred  
11 fifty of the executive law, and have received a discharge other than bad  
12 conduct or dishonorable from such service. Such scholarships shall be  
13 allocated to each county in the state in the same ratio that the number  
14 of legal residents in such county, as determined by the most recent  
15 federal census, bears to the total number of residents in the state;  
16 provided, however, that no county shall be allocated fewer scholarships  
17 than such county received during the year nineteen hundred sixty-eight-  
18 -sixty-nine.

19 § 7. Subdivision 1 of section 668 of the education law, as amended by  
20 chapter 580 of the laws of 1992, paragraphs (a) and (d) as amended by  
21 chapter 261 of the laws of 1995, paragraph (b) as amended by chapter 490  
22 of the laws of 2019 and paragraphs (f) and (g) as added by chapter 435  
23 of the laws of 2006, is amended to read as follows:

24 1. Period of military service. For a student to be eligible, the  
25 parent, or step-parent where the student is the dependent of the step-  
26 parent, (i) must ~~[have been a recipient of the armed forces expedition-~~  
27 ~~ary medal, the navy expeditionary medal or the marine corps expedition-~~  
28 ~~ary medal for participation in operations in Lebanon from June first,~~  
29 ~~nineteen hundred eighty-three to December first, nineteen hundred eight-~~  
30 ~~y seven, in Grenada from October twenty third, nineteen hundred eighty-~~  
31 ~~three to November twenty first, nineteen hundred eighty three, or in~~  
32 ~~Panama from December twentieth, nineteen hundred eighty nine to January~~  
33 ~~thirty-first, nineteen hundred ninety]~~ have been a member of the armed  
34 forces of the United States, and who (A) was discharged or released  
35 therefrom under honorable conditions, or (B) has a qualifying condition,  
36 as defined in section three hundred fifty of the executive law, and has  
37 received a discharge other than bad conduct or dishonorable from such  
38 service, or (C) is a discharged LGBT veteran, as defined in section  
39 three hundred fifty of the executive law, or (ii) must have served on  
40 regular active duty (other than for training) in the armed forces of the  
41 United States during part of one of the following periods:

42 (a) April sixth, nineteen hundred seventeen to November eleven, nine-  
43 teen hundred eighteen.

44 (b) December seven, nineteen hundred forty-one to December thirty-one,  
45 nineteen hundred forty-six, or have been employed by the War Shipping  
46 Administration or Office of Defense Transportation or their agents as a  
47 merchant seaman documented by the United States Coast Guard or Depart-  
48 ment of Commerce, or as a civil servant employed by the United States  
49 Army Transport Service (later redesignated as the United States Army  
50 Transportation Corps, Water Division) or the Naval Transportation  
51 Service; and who served satisfactorily as a crew member during the peri-  
52 od of armed conflict, December seventh, nineteen hundred forty-one, to  
53 August fifteenth, nineteen hundred forty-five, aboard merchant vessels  
54 in oceangoing, i.e., foreign, intercoastal, or coastwise service as such  
55 terms are defined under federal law (46 USCA 10301 & 10501) and further  
56 to include "near foreign" voyages between the United States and Canada,

1 Mexico, or the West Indies via ocean routes, or public vessels in ocean-  
2 going service or foreign waters and who has received a Certificate of  
3 Release or Discharge from Active Duty and a discharge certificate, or an  
4 Honorable Service Certificate/Report of Casualty, from the Department of  
5 Defense or have served as a United States civilian employed by the Amer-  
6 ican Field Service and served overseas under United States Armies and  
7 United States Army Groups in world war II during the period of armed  
8 conflict, December seventh, nineteen hundred forty-one through May  
9 eighth, nineteen hundred forty-five, and who (i) was discharged or  
10 released therefrom under honorable conditions, or (ii) has a qualifying  
11 condition, as defined in section three hundred fifty of the executive  
12 law, and has received a discharge other than bad conduct or dishonorable  
13 from such service, or (iii) is a discharged LGBT veteran, as defined in  
14 section three hundred fifty of the executive law, and has received a  
15 discharge other than bad conduct or dishonorable from such service, or  
16 have served as a United States civilian Flight Crew and Aviation Ground  
17 Support Employee of Pan American World Airways or one of its subsid-  
18 iaries or its affiliates and served overseas as a result of Pan Ameri-  
19 can's contract with Air Transport Command or Naval Air Transport Service  
20 during the period of armed conflict, December fourteenth, nineteen  
21 hundred forty-one through August fourteenth, nineteen hundred forty-  
22 five, and who (iv) was discharged or released therefrom under honorable  
23 conditions, or (v) has a qualifying condition, as defined in section  
24 three hundred fifty of the executive law, and has received a discharge  
25 other than bad conduct or dishonorable from such service, or (vi) is a  
26 discharged LGBT veteran, as defined in section three hundred fifty of  
27 the executive law, and has received a discharge other than bad conduct  
28 or dishonorable from such service.

29 (c) June twenty-seven, nineteen hundred fifty to January thirty-one,  
30 nineteen hundred fifty-five.

31 (d) December twenty-second, nineteen hundred sixty-one to May seventh,  
32 nineteen hundred seventy-five.

33 (e) August two, nineteen hundred ninety to the end of hostilities in  
34 the Persian Gulf conflict.

35 (f) From September eighteenth, two thousand one until the end of the  
36 United States military efforts in Afghanistan.

37 (g) From October sixteenth, two thousand two until the end of the  
38 United States military efforts in Iraq.

39 § 8. Subdivisions 1 and 2 of section 669-a of the education law,  
40 subdivision 1 as amended by chapter 490 of the laws of 2019 and subdivi-  
41 sion 2 as amended by section 3 of part N of chapter 57 of the laws of  
42 2008, are amended to read as follows:

43 1. As used in this section, the following terms shall have the follow-  
44 ing meanings:

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

1 and has received a discharge other than bad conduct or dishonorable from  
2 such service.

3 b. "Persian Gulf veteran" means (i) a person who is a resident of this  
4 state, (ii) who served in the armed forces of the United States in the  
5 hostilities that occurred in the Persian Gulf from the second day of  
6 August, nineteen hundred ninety through the end of such hostilities, and  
7 (iii) who was either discharged therefrom under honorable conditions,  
8 including but not limited to honorable discharge, discharge under honor-  
9 able conditions, or general discharge, or has a qualifying condition, as  
10 defined in section three hundred fifty of the executive law, and has  
11 received a discharge other than bad conduct or dishonorable from such  
12 service, or is a discharged LGBT veteran, as defined in section three  
13 hundred fifty of the executive law, and has received a discharge other  
14 than bad conduct or dishonorable from such service.

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

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

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

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

53 2. a. Tuition awards are available for all Vietnam, Persian Gulf,  
54 Afghanistan and other eligible [~~combat~~] veterans, as defined in subdivi-  
55 sion one of this section, who are enrolled, pursuant to paragraph a of  
56 subdivision four of section six hundred sixty-one of this part, in

1 approved undergraduate or graduate programs at degree granting insti-  
2 tutions or enrolled in approved vocational training programs and who  
3 apply for a tuition assistance program award pursuant to section six  
4 hundred sixty-seven of this subpart.

5 b. Eligibility for awards under this section shall be established as  
6 of the date the application is received by the corporation. All eligible  
7 recipients shall receive an award in an amount as set forth in subdivi-  
8 sion four of this section.

9 § 9. Subdivision 3 of section 350 of the executive law is amended to  
10 read as follows:

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

16 § 10. Subdivision 1 of section 356 of the executive law is amended to  
17 read as follows:

18 1. A state veterans' service agency established by the division pursu-  
19 ant to this article shall have power and it shall be its duty to inform  
20 military and naval authorities of the United States and assist members  
21 of the armed forces and veterans, who are residents of this state, and  
22 their families, in relation to (1) matters pertaining to educational  
23 training and retraining services and facilities, (2) health, medical and  
24 rehabilitation services and facilities, (3) provisions of federal, state  
25 and local laws and regulations affording special rights and privileges  
26 to members of the armed forces and [~~war~~] veterans and their families,  
27 (4) employment and re-employment services, and (5) other matters of  
28 similar, related or appropriate nature. The state veterans' service  
29 agency also shall perform such other duties as may be assigned by the  
30 state director.

31 § 11. Subdivision 1 of section 358 of the executive law, as amended by  
32 chapter 482 of the laws of 2019, is amended to read as follows:

33 1. A local veterans' service agency shall have power under the direc-  
34 tion of the state veterans' service agency, and it shall be its duty to  
35 inform military and naval authorities of the United States and assist  
36 members of the armed forces and veterans, who are residents of this  
37 state, and their families, in relation to (1) matters pertaining to  
38 educational training and retraining services and facilities, (2) health,  
39 medical and rehabilitation services and facilities, (3) provisions of  
40 federal, state and local laws and regulations affording special rights  
41 and privileges to members of the armed forces and [~~war~~] veterans and  
42 their families, (4) employment and re-employment services, (5) the proc-  
43 ess of submitting an application for a discharge upgrade to the  
44 discharge upgrade advisory board, and (6) other matters of similar,  
45 related or appropriate nature. The local veterans' service agency may  
46 also assist families of members of the reserve components of the armed  
47 forces and the organized militia ordered into active duty to ensure that  
48 they are made aware of and are receiving all appropriate support avail-  
49 able to them and are placed in contact with the agencies responsible for  
50 such support, including, but not limited to, the division of military  
51 and naval affairs and other state agencies responsible for providing  
52 such support. The local veterans' service agency also shall perform such  
53 other duties as may be assigned by the state director.

54 § 12. Subdivision 1 of section 364 of the executive law, as added by  
55 chapter 424 of the laws of 1961, paragraph a as amended by chapter 490

1 of the laws of 2019 and paragraph c as added by chapter 751 of the laws  
2 of 1985, is amended to read as follows:

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

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

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

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

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

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

~~conflict, December seventh, nineteen hundred forty one through May eighth, nineteen hundred forty five, and who (i) was discharged or released therefrom under honorable conditions, or (ii) has a qualifying condition, as defined in section three hundred fifty of this article, and has received a discharge other than bad conduct or dishonorable from such service, or (iii) is a discharged LGBT veteran, as defined in section three hundred fifty of this article, 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 discharged or released therefrom under honorable conditions, or (v) has a qualifying condition, as defined in section three hundred fifty of this article, and has received a discharge other than bad conduct or dishonorable from such service, or (vi) is a discharged LGBT veteran, as defined in section three hundred fifty of this article, and has received a discharge other than bad conduct or dishonorable from such service;~~

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

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

~~(8) in the Persian Gulf conflict from the second day of August, nineteen hundred ninety to the end of such conflict].~~

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

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

§ 13. Paragraph b of subdivision 1 of section 366 of the executive law, as added by chapter 743 of the laws of 2006, is amended to read as follows:

b. "Veteran" means a person, male or female, resident of this state, who has served in the active military, naval or air service of the United States ~~[during a time of 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;

§ 14. Subdivisions 1 and 2 of section 32 of the general business law, as amended by chapter 490 of the laws of 2019, are amended to read as follows:

1. Every member of the armed forces of the United States who (a) was honorably discharged from such service, or (b) has a qualifying condition, as defined in section three hundred fifty of the executive law, and has received a discharge other than bad conduct or dishonorable from

1 such service, or (c) is a discharged LGBT veteran, as defined in section  
2 three hundred fifty of the executive law, and has received a discharge  
3 other than bad conduct or dishonorable from such service, and who is a  
4 resident of this state and a veteran [~~of any war, or who shall have~~  
5 ~~served in the armed forces of the United States overseas~~], and the  
6 surviving spouse of any such veteran, if a resident of the state, shall  
7 have the right to hawk, peddle, vend and sell goods, wares or merchan-  
8 dise or solicit trade upon the streets and highways within the county of  
9 his or her residence, as the case may be, or if such county is embraced  
10 wholly by a city, within such city, by procuring a license for that  
11 purpose to be issued as herein provided. No part of the lands or prem-  
12 ises under the jurisdiction of the division of the state fair in the  
13 department of agriculture and markets, shall be deemed a street or high-  
14 way within the meaning of this section.

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

36 § 15. Subdivision 2 of section 238 of the military law, as amended by  
37 chapter 490 of the laws of 2019, is amended to read as follows:

38 2. Any person, except members of the armed forces of the United  
39 States, members of the organized militia of this or any other state,  
40 personnel of the independent military organizations designated in  
41 section two hundred forty of this article, members of associations whol-  
42 ly composed of persons who (a) were honorably discharged from the armed  
43 forces of the United States, or (b) have a qualifying condition, as  
44 defined in section three hundred fifty of the executive law, and have  
45 received a discharge other than bad conduct or dishonorable from the  
46 armed forces of the United States, or (c) are discharged LGBT veterans,  
47 as defined in section three hundred fifty of the executive law, and have  
48 received a discharge other than bad conduct or dishonorable from the  
49 armed forces of the United States, and members of associations wholly  
50 composed of sons of veterans [~~of any war of the United States~~], who  
51 shall wear any uniform or any device, strap, knot or insignia of any  
52 design or character used as a designation of grade, rank or office, such  
53 as are by law or by regulation, duly promulgated, prescribed for the use  
54 of the organized militia or similar thereto; or,

55 § 16. Section 245 of the military law, as amended by chapter 490 of  
56 the laws of 2019, is amended to read as follows:

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

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

§ 17. Section 246 of the military law, as amended by chapter 43 of the laws of 1967, is amended to read as follows:

§ 246. Leave of absence for public employees who are [~~war~~] veterans to continue study. Notwithstanding the provisions of any law to the contrary, every public officer and employee, who served in the armed

1 forces of the United States [~~on or after September sixteenth, nineteen~~  
2 ~~hundred forty, and prior to the termination of hostilities in world war~~  
3 ~~II, or during the period of hostilities engaged in by the armed forces~~  
4 ~~of the United States on and after June twenty-fifth, nineteen hundred~~  
5 ~~fifty, or who served in the armed forces of the United States after~~  
6 ~~January thirty-first, nineteen hundred fifty-five, and]~~ who is eligible  
7 under the provisions enacted by the congress of the United States known  
8 as "Servicemen's Readjustment Act of nineteen hundred forty-four," or  
9 "Veterans' Readjustment Assistance Act of nineteen hundred fifty-two,"  
10 or "Veterans' Readjustment Benefits Act of nineteen hundred sixty-six,"  
11 to continue the pursuit of studies or to take a refresher or retraining  
12 course shall be granted a leave of absence from his position for the  
13 period of such course of study, not to exceed four years. Such public  
14 officer or employee shall be reinstated to his position provided he  
15 makes application for such reinstatement within sixty days after the  
16 termination of such course of study.

17 § 18. Section 13.19 of the parks, recreation and historic preservation  
18 law, as amended by chapter 649 of the laws of 1977, is amended to read  
19 as follows:

20 § 13.19 Free use of campsites. Notwithstanding the provisions of any  
21 other law, any person who is blind, non-ambulatory, or an amputee or any  
22 veteran [~~of the wars of the United States~~], who has at any time been  
23 awarded by the federal government an allowance towards the purchase of  
24 an automobile or is eligible for such an award shall be permitted to use  
25 any of the public campsites, parks and other public places of recreation  
26 in this state, upon the same terms and conditions as apply to the gener-  
27 al public, but without the payment of any fees or other charges for the  
28 use of such campsites, parks and other public places of recreation.

29 § 19. Paragraph (e) of subdivision 1 of section 458-a of the real  
30 property tax law, as amended by chapter 490 of the laws of 2019, is  
31 amended to read as follows:

32 (e) "Veteran" means a person (i) who served in the active military,  
33 naval, or air service [~~during a period of war, or who was a recipient of~~  
34 ~~the armed forces expeditionary medal, navy expeditionary medal, marine~~  
35 ~~corps expeditionary medal, or global war on terrorism expeditionary~~  
36 ~~medal,~~] and who (1) was discharged or released therefrom under honorable  
37 conditions, or (2) has a qualifying condition, as defined in section  
38 three hundred fifty of the executive law, and has received a discharge  
39 other than bad conduct or dishonorable from such service, or (3) is a  
40 discharged LGBT veteran, as defined in section three hundred fifty of  
41 the executive law, and has received a discharge other than bad conduct  
42 or dishonorable from such service, (ii) who was employed by the War  
43 Shipping Administration or Office of Defense Transportation or their  
44 agents as a merchant seaman documented by the United States Coast Guard  
45 or Department of Commerce, or as a civil servant employed by the United  
46 States Army Transport Service (later redesignated as the United States  
47 Army Transportation Corps, Water Division) or the Naval Transportation  
48 Service; and who served satisfactorily as a crew member during the peri-  
49 od of armed conflict, December seventh, nineteen hundred forty-one, to  
50 August fifteenth, nineteen hundred forty-five, aboard merchant vessels  
51 in oceangoing, i.e., foreign, intercoastal, or coastwise service as such  
52 terms are defined under federal law (46 USCA 10301 & 10501) and further  
53 to include "near foreign" voyages between the United States and Canada,  
54 Mexico, or the West Indies via ocean routes, or public vessels in ocean-  
55 going service or foreign waters and who has received a Certificate of  
56 Release or Discharge from Active Duty and a discharge certificate, or an

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

37 § 20. Subdivision 1 of section 168 of the social services law, as  
38 amended by chapter 490 of the laws of 2019, is amended to read as  
39 follows:

40 1. Veteran means a person, male or female, who has served in the armed  
41 forces of the United States [~~in time of war~~], or who was a recipient of  
42 the armed forces expeditionary medal, navy expeditionary medal or marine  
43 corps expeditionary medal for participation in operations in Lebanon  
44 from June first, nineteen hundred eighty-three to December first, nine-  
45 teen hundred eighty-seven, in Grenada from October twenty-third, nine-  
46 teen hundred eighty-three to November twenty-first, nineteen hundred  
47 eighty-three, or in Panama from December twentieth, nineteen hundred  
48 eighty-nine to January thirty-first, nineteen hundred ninety, and who  
49 (1) has been honorably discharged or released under honorable circum-  
50 stances from such service or furloughed to the reserve, or (2) has a  
51 qualifying condition, as defined in section three hundred fifty of the  
52 executive law, and has received a discharge other than bad conduct or  
53 dishonorable from such service, or (3) is a discharged LGBT veteran, as  
54 defined in section three hundred fifty of the executive law, and has  
55 received a discharge other than bad conduct or dishonorable from such  
56 service.

§ 21. Subdivision 3 of section 404-a of the vehicle and traffic law, as added by chapter 601 of the laws of 1987, is amended to read as follows:

3. Registration of vehicles owned by severely disabled veterans. The commissioner shall assign to such motor vehicles, including any vans or pick-up trucks used for transporting handicapped veterans which are not used for commercial purposes and which are owned by such veterans or a not-for-profit corporation serving such veterans, a distinctive number and issue and deliver in such manner as the commissioner may prescribe to the owner a certification of registration, in such form as the commissioner shall prescribe and two number plates, called disabled veteran plates. Said severely disabled veteran plates shall conform to the requirements of section four hundred one of this chapter, but shall bear distinctive marks to distinguish them from number plates to be issued to other persons, qualifying under this chapter. The commissioner in his discretion, may issue, for any registration year, only one plate as a set for a motor vehicle, in which event a set of severely disabled veteran plates for a motor vehicle shall consist of one plate. Where a severely disabled veteran owns more than one vehicle and such vehicle or vehicles is or are used by severely disabled members of the owner's family who reside with the owner, the commissioner shall issue one set of plates for each additional vehicle used by such severely disabled veteran, provided that such user qualifies as a severely disabled veteran in the manner required by this section. For purposes of this subdivision, the term "severely disabled veteran" shall mean any member of the armed forces of the United States ~~[who served in time of war, as defined in section eighty five of the civil service law, and]~~ whose disability qualifies him as a severely disabled person within the meaning of such term as defined in subdivision four of this section.

§ 22. Paragraphs f and g of subdivision 6 of section 54 of the workers' compensation law, as amended by chapter 205 of the laws of 1993, are amended to read as follows:

f. Notwithstanding the provisions of paragraph a of this subdivision or any other provision of this chapter, any executive officer of a religious, charitable or educational corporation and the officers of a municipal corporation, and officers of any post or chapter of organizations of veterans ~~[of any war]~~ of the United States may be brought within the coverage of the insurance contract as if they were employees by any such corporation filing with the insurance carrier, upon a form prescribed by the chair of the workers' compensation board, a notice that the corporation elects to bring one or more executive officers of such corporation named in the notice within the coverage of this chapter. Such election shall be effective with respect to all policies issued to such corporation by such insurance carrier as long as it shall continuously insure the corporation. If such election is revoked, it shall be in writing on a form prescribed by the chair and filed with the chair and with the insurance carrier and a copy thereof furnished to each officer as to whom such revocation is applicable, upon a form prescribed by the chair. Such revocation shall not be effective until thirty days after such filing. The estimation of the wage values of executive officers within the coverage of the insurance contract shall be reasonable and separately stated and added to the valuation of the payrolls upon which the premium is computed.

g. The executive officers brought within the coverage of the insurance contract, and the dependents of any such executive officers, including executive officers of religious, charitable or educational corporations

1 and officers of municipal corporations, and officers of any post or  
2 chapter of organizations of veterans [~~of any war~~] of the United States  
3 that have elected to bring their officers within the coverage of the  
4 policy, shall have the same rights and remedies as any employee and  
5 shall be entitled to compensation and medical care as provided by this  
6 chapter, and the insurance carrier shall be liable therefor and for  
7 payments into the special funds provided in this chapter as in the case  
8 of an employee. The executive officers who may be brought within the  
9 coverage of an insurance contract shall include an officer of a corpo-  
10 ration who at all times during the period involved between them owns all  
11 of the issued and outstanding stock of the corporation and holds all of  
12 the offices pursuant to paragraph (e) of section seven hundred fifteen  
13 of the business corporation law or two executive officers of a corpo-  
14 ration who at all times during the period involved between them own all  
15 of the issued and outstanding stock of such corporation and hold all  
16 such offices and who is the executive officer or who are the executive  
17 officers of a corporation that has no other persons who are employees  
18 required to be covered under this chapter.  
19 § 23. This act shall take effect immediately.