

# STATE OF NEW YORK

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5543--A

2021-2022 Regular Sessions

## IN SENATE

March 10, 2021

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Introduced by Sen. BROOKS -- read twice and ordered printed, and when printed to be committed to the Committee on Veterans, Homeland Security and Military Affairs -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the education law, in relation to military enhanced recognition, incentive and tribute ("MERIT") scholarships

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

1 Section 1. Section 668-e of the education law, as added by chapter 106  
2 of the laws of 2003, is amended to read as follows:

3 § 668-e. Military enhanced recognition, incentive and tribute  
4 ("MERIT") scholarships. 1. Eligible persons. a. Notwithstanding subdivi-  
5 sions three and five of section six hundred sixty-one of this title,  
6 children, spouses and financial dependents of a member of the armed  
7 forces of the United States or state organized militia who at any time  
8 ~~[on or after the second day of August, nineteen hundred ninety,~~ while  
9 in service in the armed forces of the United States, as defined by  
10 subdivision eight of section one of the military law or in a force of  
11 the state organized militia, as defined in subdivision nine of section  
12 one of the military law: (i) while a legal resident of New York state,  
13 died, became severely and permanently disabled or was classified as  
14 missing in action ~~[in a combat theater or combat zone of operations as~~  
15 ~~part of military operations]~~, or died as a result of injury or illness  
16 suffered or incurred during such military service; or (ii) while a legal  
17 resident of New York state, died or became severely and permanently  
18 disabled as a result of injury or illness suffered or incurred during  
19 military training operations ~~[in preparation for duty in a combat thea-~~  
20 ~~ter or combat zone of operations]~~.

21 b. A member of the armed forces of the United States who: (i) became  
22 severely and permanently disabled as a result of service in the armed  
23 forces of the United States, as defined by subdivision eight of section

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

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1 one of the military law, [~~in a combat theater or combat zone of oper-~~  
2 ~~ations as part of military operations at any time on or after the second~~  
3 ~~day of August, nineteen hundred ninety~~]; and (ii) was a legal resident  
4 of New York state at the time of military service.

5 c. A member of the armed forces of the United States who: (i) became  
6 severely and permanently disabled as a result of injury or illness  
7 suffered or incurred during military training operations [~~in preparation~~  
8 ~~for duty in a combat theater or combat zone of operations~~]; and (ii) was  
9 a legal resident of New York state at the time of military service.

10 d. A member of the state organized militia who: (i) became severely  
11 and permanently disabled as a result of injury or illness suffered or  
12 incurred during active military service, as defined in subdivision six  
13 of section one of the military law [~~related to duty in a combat theater~~  
14 ~~or combat zone of operations~~]; and (ii) was a legal resident of New York  
15 state at the time of active military service.

16 2. Amount. The president shall grant annual scholarships in amounts  
17 determined in accordance with subdivisions two and three of section six  
18 hundred sixty-eight-d of this [~~part~~] subpart.

19 § 2. This act shall take effect immediately.