S T A T E O F N E W Y O R K

10603

I N A S S E M B L Y

April 8, 2010

Introduced by M. of A. CASTELLI -- read once and referred to the Committee on Governmental Employees

AN ACT to amend the military law, in relation to the service credit time of military personnel

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. The military law is amended by adding a new section 244-b to read as follows:

S 244-B. PENSION CREDIT DURING ACTIVE DUTY. NOTWITHSTANDING ANY OTHER PROVISION OF LAW TO THE CONTRARY, ANY PERSON, WHO IS A MEMBER OF ANY PUBLIC RETIREMENT SYSTEM OF THE STATE, CALLED UP FOR ACTIVE DUTY SERVICE AS A MEMBER OF THE:

A. NAVAL MILITIA;

B. NEW YORK STATE GUARD;

C. NEW YORK NATIONAL GUARD;

D. RESERVES; OR

E. UNITED STATES ARMY, NAVY, MARINES, AIR FORCE, OR COAST GUARD, DURING ANY PERIOD FROM SEPTEMBER ELEVENTH, TWO THOUSAND ONE TO THE PRESENT TIME, SHALL BE AWARDED FULL PENSION CREDIT, FOR ALL TIME SO EMPLOYED ON ACTIVE DUTY, AS IF SUCH PERSON WAS EMPLOYED FULL TIME IN THEIR PUBLIC EMPLOYMENT, DURING THE TIME OF SUCH ACTIVE DUTY SERVICE, REGARDLESS OF WHETHER SUCH PERSON RECEIVES ANY WAGES OR SALARY INCOME FROM SUCH PUBLIC EMPLOYMENT DURING SUCH ACTIVE DUTY SERVICE.

S 2. This act shall take effect immediately.

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

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