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

2051

2009-2010 Regular Sessions

I N A S S E M B L Y

January 15, 2009

Introduced by M. of A. MORELLE, SCHIMMINGER, COLTON -- Multi-Sponsored by -- M. of A. TITONE -- read once and referred to the Committee on Governmental Employees

AN ACT to amend the civil service law, in relation to the application of veteran's credits to civil service examinations

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

Section 1. Subdivision 3 of section 85 of the civil service law, as added by chapter 790 of the laws of 1958, is amended to read as follows:

3. Application for additional credit; proof of eligibility; establishment of eligible list. Any candidate, believing himself OR HERSELF entitled to additional credit in a competitive examination as provided [herein] IN THIS SECTION, may make application for such additional credit at any time between the date of his OR HER application for examination and the date of the establishment of the resulting eligible list. Such candidates shall be allowed a period of not less than two months from the date of the filing of his OR HER application for examination in which to establish by appropriate documentary proof his OR HER eligibility to receive additional credit under this section. At any time after two months have elapsed since the final date for filing applications for a competitive examination for original appointment or promotion, the eligible list resulting from such examination may be established, notwithstanding the fact that a veteran or disabled veteran who has applied for additional credit has failed to establish his OR HER eligibility to receive such additional credit. A candidate who fails to establish, by appropriate documentary proof, his OR HER eligibility to receive additional credit by the time an eligible list is established shall not thereafter be granted additional credit on such eligible list. NOTWITHSTANDING THE FOREGOING, BELATED APPLICATION FOR AN ADDITIONAL CREDIT AS A VETERAN OR DISABLED VETERAN MAY BE MADE BY AN APPLICANT WHO HAS ALREADY BEEN PLACED ON AN ELIGIBLE LIST BUT SUBSEQUENT TO SUCH

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

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PLACEMENT HAS BEEN ORDERED TO ACTIVE MILITARY DUTY, OTHER THAN TRAINING, TO A COMBAT THEATER OR COMBAT ZONE OF OPERATIONS THAT QUALIFIES SUCH APPLICANT FOR THE ADDITIONAL CREDIT AS A VETERAN OR DISABLED VETERAN PROVIDED SUCH LIST HAS NOT EXPIRED AND PROVIDED FURTHER THAT THE APPLICANT MAKES SUCH APPLICATION WITHIN TWO MONTHS AFTER RECEIVING AN HONORABLE DISCHARGE OR BEING RELEASED UNDER HONORABLE CIRCUMSTANCES.

S 2. This act shall take effect immediately and shall apply to eligible civil service lists in effect as of January 1, 2010.