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

2037

2009-2010 Regular Sessions

I N S E N A T E

February 11, 2009

Introduced by Sen. DeFRANCISCO -- 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 military law, in relation to filing fees waiver

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

Section 1. Section 323-b of the military law, as added by chapter 600 of the laws of 2008, is amended to read as follows:

S 323-b. Filing fees waiver; civil actions. In any civil action or proceeding commenced in any court by a person who is an active member of the force of the organized militia, as defined by subdivision nine of section one of this chapter, where the dispute or controversy is related to such person's service in [active duty, including service with the New York army national guard, the New York air national guard, the New York naval militia, the New York guard, or any reserve components of the active armed forces of the United States] *THE ORGANIZED MILITIA OR THE RESERVES, AND THE CLAIMS ARE BASED IN WHOLE OR IN PART ON THIS CHAPTER, OR ON THE HUMAN RIGHTS LAW RELATING TO MILITARY STATUS, OR ON TITLE 38 OR TITLE 50 OF THE UNITED STATES CODE*, all court costs or filing fees for the commencement of the civil action or proceeding shall be waived.

S 2. This act shall take effect immediately and shall be deemed to have been in full force and effect on and after September 25, 2008.

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

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