

2092

2011-2012 Regular Sessions

I N S E N A T E

January 18, 2011

Introduced by Sen. KRUGER -- 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 real property tax law, in relation to establishing the dates for veterans alternative exemptions for veterans serving in operations in Lebanon, Grenada, Panama, and the Persian Gulf

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

1 Section 1. Paragraphs (a) and (e) of subdivision 1 of section 458-a  
2 of the real property tax law, paragraph (a) as amended by chapter 179 of  
3 the laws of 2006, paragraph (e) as amended by chapter 384 of the laws of  
4 2008, are amended to read as follows:

5 (a) "Period of war" means (I) the Spanish-American war; (II) the Mexi-  
6 can border period; (III) World War I; (IV) World War II; (V) the hostil-  
7 ities, known as the Korean war, which commenced June twenty-seventh,  
8 nineteen hundred fifty and terminated on January thirty-first, nineteen  
9 hundred fifty-five; (VI) the hostilities, known as the Vietnam war,  
10 which commenced February twenty-eighth, nineteen hundred sixty-one and  
11 terminated on May seventh, nineteen hundred seventy-five; (VII) OPER-  
12 ATIONS IN LEBANON FROM JUNE FIRST, NINETEEN HUNDRED EIGHTY-THREE TO  
13 DECEMBER FIRST, NINETEEN HUNDRED EIGHTY-SEVEN; (VIII) OPERATIONS IN  
14 GRENADA FROM OCTOBER TWENTY-THIRD, NINETEEN HUNDRED EIGHTY-THREE TO  
15 NOVEMBER TWENTY-FIRST, NINETEEN HUNDRED EIGHTY-THREE; (IX) OPERATIONS IN  
16 PANAMA FROM DECEMBER TWENTIETH, NINETEEN HUNDRED EIGHTY-NINE TO JANUARY  
17 THIRTY-FIRST, NINETEEN HUNDRED NINETY; and (X) the hostilities, known as  
18 the Persian Gulf conflict, which commenced August second, nineteen  
19 hundred ninety.

20 (e) "Veteran" means a person (i) who served in the active military,  
21 naval, or air service during a period of war ENUMERATED IN ANY OF  
22 SUBPARAGRAPHS (I), (II), (III), (IV), (V), (VI), OR (X) OF PARAGRAPH (A)  
23 OF THIS SUBDIVISION, AND WHO WAS DISCHARGED OR RELEASED THEREFROM UNDER

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

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1 HONORABLE CONDITIONS, or (II) who SERVED IN THE MILITARY, NAVAL, OR AIR  
2 SERVICE DURING A PERIOD OF WAR ENUMERATED IN ANY OF SUBPARAGRAPHS (VII),  
3 (VIII), OR (IX) OF PARAGRAPH (A) OF THIS SUBDIVISION AND was a recipient  
4 of the armed forces expeditionary medal, navy expeditionary medal,  
5 marine corps expeditionary medal FOR PARTICIPATION IN ANY SUCH OPERATION  
6 ENUMERATED IN SUCH SUBPARAGRAPHS (VII), (VIII), OR (IX), or WHO SERVED  
7 IN THE GLOBAL WAR ON TERRORISM AND WAS A RECIPIENT OF THE global war on  
8 terrorism expeditionary medal, and who was discharged or released there-  
9 from under honorable conditions, [(ii)] (III) who was employed by the  
10 War Shipping Administration or Office of Defense Transportation or their  
11 agents as a merchant seaman documented by the United States Coast Guard  
12 or Department of Commerce, or as a civil servant employed by the United  
13 States Army Transport Service (later redesignated as the United States  
14 Army Transportation Corps, Water Division) or the Naval Transportation  
15 Service; and who served satisfactorily as a crew member during the peri-  
16 od of armed conflict, December seventh, nineteen hundred forty-one, to  
17 August fifteenth, nineteen hundred forty-five, aboard merchant vessels  
18 in oceangoing, i.e., foreign, intercoastal, or coastwise service as such  
19 terms are defined under federal law (46 USCA 10301 & 10501) and further  
20 to include "near foreign" voyages between the United States and Canada,  
21 Mexico, or the West Indies via ocean routes, or public vessels in ocean-  
22 going service or foreign waters and who has received a Certificate of  
23 Release or Discharge from Active Duty and a discharge certificate, or an  
24 Honorable Service Certificate/Report of Casualty, from the department of  
25 defense, [(iii)] (IV) who served as a United States civilian employed by  
26 the American Field Service and served overseas under United States  
27 Armies and United States Army Groups in world war II during the period  
28 of armed conflict, December seventh, nineteen hundred forty-one through  
29 May eighth, nineteen hundred forty-five, and who was discharged or  
30 released therefrom under honorable conditions, [(iv)] (V) who served as  
31 a United States civilian Flight Crew and Aviation Ground Support Employ-  
32 ee of Pan American World Airways or one of its subsidiaries or its  
33 affiliates and served overseas as a result of Pan American's contract  
34 with Air Transport Command or Naval Air Transport Service during the  
35 period of armed conflict, December fourteenth, nineteen hundred forty-  
36 one through August fourteenth, nineteen hundred forty-five, and who was  
37 discharged or released therefrom under honorable conditions, or [(v)]  
38 (VI) notwithstanding any other provision of law to the contrary, who are  
39 members of the reserve components of the armed forces of the United  
40 States who received an honorable discharge or release therefrom under  
41 honorable conditions, but are still members of the reserve components of  
42 the armed forces of the United States provided that such members meet  
43 all other qualifications under the provisions of this section.

44 S 2. This act shall take effect immediately.