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

5529--A

2015-2016 Regular Sessions

I N S E N A T E

May 14, 2015

Introduced by Sen. HOYLMAN -- read twice and ordered printed, and when printed to be committed to the Committee on Corporations, Authorities and Commissions -- recommitted to the Committee on Corporations, Authorities and Commissions in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the business corporations law and the not-for-profit corporation law, in relation to exempting veterans from the payment of certain fees relating to corporations

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

Section 1. The business corporation law is amended by adding a new section 104-B to read as follows:

S 104-B. VETERAN EXEMPTION FROM FEES.

(A) AS USED IN THIS SECTION, "VETERAN" MEANS A MEMBER OF THE ARMED FORCES OF THE UNITED STATES WHO SERVED THEREIN IN TIME OF WAR, WHO WAS HONORABLY DISCHARGED OR RELEASED UNDER HONORABLE CIRCUMSTANCES FROM SUCH SERVICE, WHO IS A CITIZEN OF THE UNITED STATES OR AN ALIEN LAWFULLY ADMITTED FOR PERMANENT RESIDENCE IN THE UNITED STATES AND WHO IS A RESIDENT OF THE STATE OF NEW YORK AT THE TIME OF UNDERTAKING AN ACTION SUBJECT TO A FEE PURSUANT TO SECTION ONE HUNDRED FOUR-A OF THIS ARTICLE.

(B) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, NO VETERAN SHALL BE REQUIRED TO PAY THE FEES OTHERWISE REQUIRED BY SECTION ONE HUNDRED FOUR-A OF THIS ARTICLE WITHIN FIVE YEARS OF BEING HONORABLY DISCHARGED OR RELEASED UNDER HONORABLE CIRCUMSTANCES FROM MILITARY SERVICE.

(C) STATUS AS AN ELIGIBLE VETERAN PURSUANT TO THIS SECTION SHALL BE DOCUMENTED PURSUANT TO RULES AND REGULATIONS PROMULGATED BY THE COMMISSIONER OF THE DEPARTMENT OF STATE.

S 2. The not-for-profit corporation law is amended by adding a new section 104-B to read as follows:

S 104-B. VETERAN EXEMPTION FROM FEES.

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

LBD10421-02-6

(A) AS USED IN THIS SECTION, "VETERAN" MEANS A MEMBER OF THE ARMED FORCES OF THE UNITED STATES WHO SERVED THEREIN IN TIME OF WAR, WHO WAS HONORABLY DISCHARGED OR RELEASED UNDER HONORABLE CIRCUMSTANCES FROM SUCH SERVICE, WHO IS A CITIZEN OF THE UNITED STATES OR AN ALIEN LAWFULLY ADMITTED FOR PERMANENT RESIDENCE IN THE UNITED STATES AND WHO IS A RESIDENT OF THE STATE OF NEW YORK AT THE TIME OF UNDERTAKING AN ACTION SUBJECT TO A FEE PURSUANT TO SECTION ONE HUNDRED FOUR-A OF THIS ARTICLE.

(B) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, NO VETERAN SHALL BE REQUIRED TO PAY THE FEES OTHERWISE REQUIRED BY SECTION ONE HUNDRED FOUR-A OF THIS ARTICLE WITHIN FIVE YEARS OF BEING HONORABLY DISCHARGED OR RELEASED UNDER HONORABLE CIRCUMSTANCES FROM MILITARY SERVICE.

(C) STATUS AS AN ELIGIBLE VETERAN PURSUANT TO THIS SECTION SHALL BE DOCUMENTED PURSUANT TO RULES AND REGULATIONS PROMULGATED BY THE COMMISSIONER OF THE DEPARTMENT OF STATE.

S 3. This act shall take effect immediately.