

STATE OF NEW YORK

5373

2017-2018 Regular Sessions

IN SENATE

March 23, 2017

Introduced by Sens. CROCI, LARKIN -- (at request of the Division of Veterans Affairs) -- 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 executive law, in relation to defining the term "veteran" for purposes of veterans' affairs

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. Subdivisions 3 and 4 of section 350 of the executive law,
2 are amended to read as follows:

3 3. The term "veteran" means a person[~~, male or female, resident of~~
4 ~~this state,~~] who has served in the [~~active military or naval service~~
5 armed forces] of the United States [~~during a war in which the United~~
6 ~~States engaged~~] or the reserves thereof, or in the army national guard,
7 air national guard, New York guard or New York naval militia, and who
8 has been released from such service [~~otherwise than by dishonorable~~
9 ~~discharge, or who has been furloughed to the reserve~~] under honorable
10 conditions.

11 4. The term "armed forces" means the [~~military and naval forces of the~~
12 ~~United States~~] army, navy, air force, marine corps and coast guard, as
13 described in 10 U.S.C. § 101(a)(4).

14 § 2. Subdivision 1 of section 358 of the executive law, as amended by
15 chapter 106 of the laws of 2003, is amended to read as follows:

16 1. A local veterans' service agency shall have power under the direc-
17 tion of the state veterans' service agency, and it shall be its duty to
18 inform military and naval authorities of the United States and assist
19 members of the armed forces, members of the reserve components of the
20 armed forces or the organized militia, and veterans, who are residents
21 of this state, and their families, in relation to (1) matters pertaining
22 to educational training and retraining services and facilities, (2)
23 health, medical and rehabilitation services and facilities, (3)

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

LBD10146-01-7

provisions of federal, state and local laws and regulations affording special rights and privileges to members of the armed forces and war veterans and their families, (4) employment and re-employment services, and (5) other matters of similar, related or appropriate nature, including, but not limited to, referral to state agencies, authorities, divisions and other entities responsible for providing services in employment, healthcare, housing, access to veterans' benefits and programs, and other services. ~~[The local veterans' service agency may also assist families of members of the reserve components of the armed forces and the organized militia ordered into active duty to ensure that they are made aware of and are receiving all appropriate support available to them and are placed in contact with the agencies responsible for such support, including, but not limited to, the division of military and naval affairs and other state agencies responsible for providing such support.]~~ The local veterans' service agency also shall perform such other duties as may be assigned by the state director.

§ 3. The opening paragraph and subdivision 3 of section 369-b of the executive law, as added by chapter 557 of the laws of 2013, are amended to read as follows:

~~[As]~~ When used in this article:

3. "Veteran" shall mean ~~[an individual]~~ a person who has served ~~[on active duty]~~ in the armed forces of the United States ~~[army, navy, marine corps, air force, coast guard]~~ or the reserves ~~[component]~~ thereof, or ~~[who served in active military service of the United States as a member of]~~ in the the army national guard, air national guard, New York guard or New York naval militia, who ~~[was]~~ has been released from such service ~~[otherwise then by dishonorable discharge after September eleventh, two thousand one]~~ under honorable conditions.

§ 4. Subdivision 4 of section 369-b of the executive law is renumbered subdivision 5 and a new subdivision 4 is added to read as follows:

4. "Armed forces" shall mean the army, navy, air force, marine corps and coast guard, as described in 10 U.S.C. § 101(a)(4).

§ 5. Subdivision 7 of section 369-h of the executive law, as added by chapter 22 of the laws of 2014, is amended and a new subdivision 8 is added to read as follows:

7. "Veteran" shall mean a person who has served in ~~[and who has received an honorable or general discharge from,]~~ the armed forces of the United States ~~[army, navy, air force, marines, coast guard, and/or]~~ or the reserves thereof, ~~[and/or]~~ or in the army national guard, air national guard, New York guard ~~[and/or the]~~ or New York naval militia, and who has been released from such service under honorable conditions.

8. "Armed forces" shall mean the army, navy, air force, marine corps, and coast guard, as described in 10 U.S.C §101(a)(4).

§ 6. This act shall take effect immediately, provided that the amendments to section 369-h of the executive law, made by section five of this act, shall not affect the repeal of such section, and shall be deemed repealed therewith.