

STATE OF NEW YORK

8097

2019-2020 Regular Sessions

IN ASSEMBLY

May 31, 2019

Introduced by M. of A. BARRETT -- read once and referred to the Committee on Veterans' Affairs

AN ACT to amend the executive law, the civil service law, the county law, the economic development law, the education law, the election law, the general construction law, the general municipal law, the military law, the correction law, the environmental conservation law, the general business law, the highway law, the insurance law, the judiciary law, the private housing finance law, the public health law, the public housing law, the public officers law, the real property tax law, the social services law, the tax law, the town law, the vehicle and traffic law, and the workers' compensation law, in relation to veterans with qualifying conditions and discharged LGBT veterans

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

Section 1. Section 350 of the executive law is amended by adding two new subdivisions 8 and 9 to read as follows:

8. The term "qualifying condition" means a diagnosis of post-traumatic stress disorder or traumatic brain injury made by, or an experience of military sexual trauma, as described in 38 USC 1720D, as amended from time to time, disclosed to, an individual licensed to provide health care services at a United States Department of Veterans Affairs facility. The division shall develop a standardized form used to confirm that the veteran has a qualifying condition under this subdivision.

9. The term "discharged LGBT veteran" means a veteran who was discharged less than honorably from military or naval service due to their sexual orientation or gender identity or expression, as those terms are defined in section two hundred ninety-two of this chapter, or statements, consensual sexual conduct, or consensual acts relating to sexual orientation, gender identity or expression, or the disclosure of such statements, conduct, or acts, that were prohibited by the military or naval service at the time of discharge. The division shall establish

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

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a consistent and uniform process to determine whether a veteran qualifies as a discharged LGBT veteran under this subdivision, including, at a minimum, standards for verifying a veteran's status as a discharged LGBT veteran, and a method of demonstrating eligibility as a discharged LGBT veteran.

§ 2. Paragraph (b) of subdivision 5 of section 50 of the civil service law, as amended by chapter 35 of the laws of 2018, is amended to read as follows:

(b) Notwithstanding the provisions of paragraph (a) of this subdivision, the state civil service department, subject to the approval of the director of the budget, a municipal commission, subject to the approval of the governing board or body of the city or county, as the case may be, or a regional commission or personnel officer, pursuant to governmental agreement, may elect to waive application fees, or to abolish fees for specific classes of positions or types of examinations or candidates, or to establish a uniform schedule of reasonable fees different from those prescribed in paragraph (a) of this subdivision, specifying in such schedule the classes of positions or types of examinations or candidates to which such fees shall apply; provided, however, that fees shall be waived for candidates who certify to the state civil service department, a municipal commission or a regional commission that they are unemployed and primarily responsible for the support of a household, or are receiving public assistance. Provided further, the state civil service department shall waive the state application fee for examinations for original appointment for all veterans. Notwithstanding any other provision of law, for purposes of this section, the term "veteran" shall mean a person who has served in the armed forces of the United States or the reserves thereof, or in the army national guard, air national guard, New York guard, or the New York naval militia, and who (1) has been honorably discharged or released from such service under honorable conditions, or (2) has a qualifying condition, as defined in section three hundred fifty of the executive law, and has received a discharge other than bad conduct or dishonorable from such service, or (3) is a discharged LGBT veteran, as defined in section three hundred fifty of the executive law, and has received a discharge other than bad conduct or dishonorable from such service. The term "armed forces" shall mean the army, navy, air force, marine corps, and coast guard.

§ 3. Paragraph (b) of subdivision 1 of section 75 of the civil service law, as amended by chapter 350 of the laws of 1989, is amended to read as follows:

(b) a person holding a position by permanent appointment or employment in the classified service of the state or in the several cities, counties, towns, or villages thereof, or in any other political or civil division of the state or of a municipality, or in the public school service, or in any public or special district, or in the service of any authority, commission or board, or in any other branch of public service, who was honorably discharged or released under honorable circumstances from the armed forces of the United States including (i) having a qualifying condition as defined in section three hundred fifty of the executive law, and receiving a discharge other than bad conduct or dishonorable from such service, or (ii) being a discharged LGBT veteran, as defined in section three hundred fifty of the executive law, and receiving a discharge other than bad conduct or dishonorable from such service, having served therein as such member in time of war as defined in section eighty-five of this chapter, or who is an exempt

1 volunteer firefighter as defined in the general municipal law, except
2 when a person described in this paragraph holds the position of private
3 secretary, cashier or deputy of any official or department, or

4 § 4. Paragraph (a) of subdivision 1 of section 85 of the civil service
5 law, as amended by chapter 333 of the laws of 1993, is amended to read
6 as follows:

7 (a) The terms "veteran" and "non-disabled veteran" mean a member of
8 the armed forces of the United States who served therein in time of war,
9 who was honorably discharged or released under honorable circumstances
10 from such service including (i) having a qualifying condition as defined
11 in section three hundred fifty of the executive law, and receiving a
12 discharge other than bad conduct or dishonorable from such service, or
13 (ii) being a discharged LGBT veteran, as defined in section three
14 hundred fifty of the executive law, and receiving a discharge other than
15 bad conduct or dishonorable from such service, who is a citizen of the
16 United States or an alien lawfully admitted for permanent residence in
17 the United States and who is a resident of the state of New York at the
18 time of application for appointment or promotion or at the time of
19 retention, as the case may be.

20 § 5. Subparagraph 2 of paragraph (b) of subdivision 1 of section 85 of
21 the civil service law, as amended by chapter 616 of the laws of 1995, is
22 amended to read as follows:

23 (2) A veteran who served in world war II, who continued to serve in
24 the armed forces of the United States after the second day of September,
25 nineteen hundred forty-five, or who was employed by the War Shipping
26 Administration or Office of Defense Transportation or their agents as a
27 merchant seaman documented by the United States Coast Guard or Depart-
28 ment of Commerce, or as a civil servant employed by the United States
29 Army Transport Service (later redesignated as the United States Army
30 Transportation Corps, Water Division) or the Naval Transportation
31 Service; and who served satisfactorily as a crew member during the peri-
32 od of armed conflict, December seventh, nineteen hundred forty-one, to
33 August fifteenth, nineteen hundred forty-five, aboard merchant vessels
34 in oceangoing, i.e., foreign, intercoastal, or coastwise service as such
35 terms are defined under federal law (46 USCA 10301 & 10501) and further
36 to include "near foreign" voyages between the United States and Canada,
37 Mexico, or the West Indies via ocean routes, or public vessels in ocean-
38 going service or foreign waters and who has received a Certificate of
39 Release or Discharge from Active Duty and a discharge certificate, or an
40 Honorable Service Certificate/Report of Casualty, from the Department of
41 Defense, or who served as a United States civilian employed by the Amer-
42 ican Field Service and served overseas under United States Armies and
43 United States Army Groups in world war II during the period of armed
44 conflict, December seventh, nineteen hundred forty-one through May
45 eighth, nineteen hundred forty-five, and who (i) was discharged or
46 released therefrom under honorable [conditions,] circumstances or (ii)
47 has a qualifying condition, as defined in section three hundred fifty of
48 the executive law, and has received a discharge other than bad conduct
49 or dishonorable from such service, or (iii) is a discharged LGBT veter-
50 an, as defined in section three hundred fifty of the executive law, and
51 has received a discharge other than bad conduct or dishonorable from
52 such service, or who served as a United States civilian Flight Crew and
53 Aviation Ground Support Employee of Pan American World Airways or one of
54 its subsidiaries or its affiliates and served overseas as a result of
55 Pan American's contract with Air Transport Command or Naval Air Trans-
56 port Service during the period of armed conflict, December fourteenth,

1 nineteen hundred forty-one through August fourteenth, nineteen hundred
2 forty-five, and who (iv) was discharged or released therefrom under
3 honorable [~~conditions,~~ circumstances or (v) has a qualifying condition,
4 as defined in section three hundred fifty of the executive law, and has
5 received a discharge other than bad conduct or dishonorable from such
6 service, or (vi) is a discharged LGBT veteran, as defined in section
7 three hundred fifty of the executive law, and has received a discharge
8 other than bad conduct or dishonorable from such service, and who is
9 certified, as hereinbefore provided, by the United States veterans'
10 administration as receiving disability payments upon the certification
11 of such veterans' administration for a disability incurred by him in
12 such service on or before the date that world war II is declared termi-
13 nated.

14 § 6. Section 86 of the civil service law, as amended by chapter 476 of
15 the laws of 2018, is amended to read as follows:

16 § 86. Transfer of veterans or exempt volunteer firefighters upon abol-
17 ition of positions. If the position in the non-competitive or in the
18 labor class held by any honorably discharged veteran of the armed forces
19 of the United States or by any veteran of the armed forces of the United
20 States released under honorable circumstances from such service includ-
21 ing (i) having a qualifying condition as defined in section three
22 hundred fifty of the executive law, and receiving a discharge other than
23 bad conduct or dishonorable from such service, or (ii) being a
24 discharged LGBT veteran, as defined in section three hundred fifty of
25 the executive law, and receiving a discharge other than bad conduct or
26 dishonorable from such service, who served therein in time of war as
27 defined in section eighty-five of this chapter, or by an exempt volun-
28 teer firefighter as defined in the general municipal law, shall become
29 unnecessary or be abolished for reasons of economy or otherwise, the
30 honorably discharged veteran or exempt volunteer firefighter holding
31 such position shall not be discharged from the public service but shall
32 be transferred to a similar position wherein a vacancy exists, and shall
33 receive the same compensation therein. It is hereby made the duty of all
34 persons clothed with the power of appointment to make such transfer
35 effective. The right to transfer herein conferred shall continue for a
36 period of one year following the date of abolition of the position, and
37 may be exercised only where a vacancy exists in an appropriate position
38 to which transfer may be made at the time of demand for transfer. Where
39 the positions of more than one such veteran or exempt volunteer fire-
40 fighter are abolished and a lesser number of vacancies in similar posi-
41 tions exist to which transfer may be made, the veterans or exempt volun-
42 teer firefighters whose positions are abolished shall be entitled to
43 transfer to such vacancies in the order of their original appointment in
44 the service. Nothing in this section shall be construed to apply to the
45 position of private secretary, cashier or deputy of any official or
46 department. This section shall have no application to persons encom-
47 passed by section eighty-a of this chapter.

48 § 7. Section 831 of the county law, as added by chapter 653 of the
49 laws of 1986, is amended to read as follows:

50 § 831. Soldier burial plots in Dutchess county. The legislature of the
51 county of Dutchess may authorize the purchase of burial plots and
52 provide for marker settings and perpetual care and maintenance of such
53 plots in one or more of the cemeteries of the county of Dutchess for
54 deceased veterans, who, at the time of death, were residents of the
55 county of Dutchess and who (i) were discharged from the armed forces of
56 the United States either honorably or under honorable circumstances, or

1 (ii) had a qualifying condition, as defined in section three hundred
2 fifty of the executive law, and received a discharge other than bad
3 conduct or dishonorable, or (iii) were a discharged LGBT veteran, as
4 defined in section three hundred fifty of the executive law, and
5 received a discharge other than bad conduct or dishonorable. The expense
6 thereof shall be a county charge.

7 § 8. Subdivision 6 of section 210 of the economic development law, as
8 added by chapter 398 of the laws of 2018, is amended to read as follows:

9 6. "Veteran" shall mean a person who served in [~~and who has received~~
10 ~~an honorable or general discharge from,~~] the United States army, navy,
11 air force, marines, coast guard, and/or reserves thereof, and/or in the
12 army national guard, air national guard, New York guard and/or New York
13 naval militia and who (a) has received an honorable or general discharge
14 from such service, or (b) has a qualifying condition, as defined in
15 section three hundred fifty of the executive law, and has received a
16 discharge other than bad conduct or dishonorable from such service, or
17 (c) is a discharged LGBT veteran, as defined in section three hundred
18 fifty of the executive law, and has received a discharge other than bad
19 conduct or dishonorable from such service.

20 § 9. Paragraph c of subdivision 1 of section 360 of the education law,
21 as amended by chapter 699 of the laws of 2005, is amended to read as
22 follows:

23 c. Adopt and enforce campus rules and regulations not inconsistent
24 with the vehicle and traffic law relating to parking, vehicular and
25 pedestrian traffic, and safety. Such rules and regulations may include
26 provisions for the disposition of abandoned vehicles, removal by towing
27 or otherwise of vehicles parked in violation of such rules at the
28 expense of the owner, the payment of fees for the registration or park-
29 ing of such vehicles, provided that such campus rules and regulations
30 may provide that any veteran attending the state university as a student
31 shall be exempt from any fees for parking or registering a motor vehi-
32 cle, and the assessment of administrative fines upon the owner or opera-
33 tor of such vehicles for each violation of the regulations. However, no
34 such fine may be imposed without a hearing or an opportunity to be heard
35 conducted by an officer or board designated by the board of trustees.
36 Such fines, in the case of an officer or employee of state university,
37 may be deducted from the salary or wages of such officer or employee
38 found in violation of such regulations, or in the case of a student of
39 state university found in violation of such regulations, the university
40 may withhold his grades and transcripts until such time as any fine is
41 paid. For purposes of this subdivision, the term "veteran" shall mean a
42 member of the armed forces of the United States who served in such armed
43 forces in time of war and who (i) was honorably discharged or released
44 under honorable circumstances from such service, or (ii) has a qualify-
45 ing condition, as defined in section three hundred fifty of the execu-
46 tive law, and has received a discharge other than bad conduct or
47 dishonorable from such service, or (iii) is a discharged LGBT veteran,
48 as defined in section three hundred fifty of the executive law, and has
49 received a discharge other than bad conduct or dishonorable from such
50 service.

51 § 10. The opening paragraph of subdivision 6 of section 503 of the
52 education law, as amended by chapter 616 of the laws of 1995, is amended
53 to read as follows:

54 Credit for service in war after world war I, which shall mean military
55 service during the period commencing the first day of July, nineteen
56 hundred forty, and terminating the thirtieth day of June, nineteen

1 hundred forty-seven, or during the period commencing the twenty-seventh
2 day of June, nineteen hundred fifty, and terminating the thirty-first
3 day of January, nineteen hundred fifty-five, or during both such peri-
4 ods, as a member of the armed forces of the United States, of any person
5 who (i) has been honorably discharged or released under honorable
6 circumstances from such service, or (ii) has a qualifying condition, as
7 defined in section three hundred fifty of the executive law, and has
8 received a discharge other than bad conduct or dishonorable from such
9 service, or (iii) is a discharged LGBT veteran, as defined in section
10 three hundred fifty of the executive law, and has received a discharge
11 other than bad conduct or dishonorable from such service, or service by
12 one who was employed by the War Shipping Administration or Office of
13 Defense Transportation or their agents as a merchant seaman documented
14 by the United States Coast Guard or Department of Commerce, or as a
15 civil servant employed by the United States Army Transport Service
16 (later redesignated as the United States Army Transportation Corps,
17 Water Division) or the Naval Transportation Service; and who served
18 satisfactorily as a crew member during the period of armed conflict,
19 December seventh, nineteen hundred forty-one, to August fifteenth, nine-
20 teen hundred forty-five, aboard merchant vessels in oceangoing, i.e.,
21 foreign, intercoastal, or coastwise service as such terms are defined
22 under federal law (46 USCA 10301 & 10501) and further to include "near
23 foreign" voyages between the United States and Canada, Mexico, or the
24 West Indies via ocean routes, or public vessels in oceangoing service or
25 foreign waters and who has received a Certificate of Release or
26 Discharge from Active Duty and a discharge certificate, or an Honorable
27 Service Certificate/Report of Casualty, from the Department of Defense
28 or who served as a United States civilian employed by the American Field
29 Service and served overseas under United States Armies and United States
30 Army Groups in world war II during the period of armed conflict, Decem-
31 ber seventh, nineteen hundred forty-one through May eighth, nineteen
32 hundred forty-five, and (iv) who was discharged or released therefrom
33 under honorable conditions, or (v) has a qualifying condition, as
34 defined in section three hundred fifty of the executive law, and has
35 received a discharge other than bad conduct or dishonorable from such
36 service, or (vi) is a discharged LGBT veteran, as defined in section
37 three hundred fifty of the executive law, and has received a discharge
38 other than bad conduct or dishonorable from such service, or who served
39 as a United States civilian Flight Crew and Aviation Ground Support
40 Employee of Pan American World Airways or one of its subsidiaries or its
41 affiliates and served overseas as a result of Pan American's contract
42 with Air Transport Command or Naval Air Transport Service during the
43 period of armed conflict, December fourteenth, nineteen hundred forty-
44 one through August fourteenth, nineteen hundred forty-five, and who
45 (vii) was discharged or released therefrom under honorable conditions,
46 or (viii) has a qualifying condition, as defined in section three
47 hundred fifty of the executive law, and has received a discharge other
48 than bad conduct or dishonorable from such service, or (ix) is a
49 discharged LGBT veteran, as defined in section three hundred fifty of
50 the executive law, and has received a discharge other than bad conduct
51 or dishonorable from such service, and who was a teacher in the public
52 schools of this state at the time of his entrance into the armed forces
53 of the United States, provided no compensation was received under the
54 provisions of section two hundred forty-two of the military law, and who
55 returned to public school teaching following discharge or completion of
56 advanced education provided under servicemen's readjustment act of nine-

1 teen hundred forty-four, or who following such discharge or release
2 entered into a service which would qualify him pursuant to section
3 forty-three of the retirement and social security law to transfer his
4 membership in the New York state teachers' retirement system, shall be
5 provided as follows, any provisions of section two hundred forty-three
6 of the military law to the contrary notwithstanding.

7 § 11. Subdivision 7 of section 503 of the education law, as amended by
8 chapter 40 of the laws of 1967, is amended to read as follows:

9 7. A teacher, who was a member of the New York state teachers retire-
10 ment system but who withdrew his accumulated contributions immediately
11 prior to his entry into, or during his service in the armed forces of
12 the United States in war after World War I, who (i) has been honorably
13 discharged or released from service, or (ii) has a qualifying condition,
14 as defined in section three hundred fifty of the executive law, and has
15 received a discharge other than bad conduct or dishonorable from such
16 service, or (iii) is a discharged LGBT veteran, as defined in section
17 three hundred fifty of the executive law, and has received a discharge
18 other than bad conduct or dishonorable from such service, provided no
19 compensation was received under the provisions of section two hundred
20 forty-two of the military law, and who returned to public school teach-
21 ing in the state of New York following such discharge or release, or
22 following completion of advanced education provided under servicemen's
23 readjustment act of nineteen hundred forty-four, any provisions of
24 section two hundred forty-three of the military law to the contrary
25 notwithstanding, will be entitled to credit for service in war after
26 World War I, cost free, provided, however, that such credit will not be
27 allowed until he claims and pays for all prior teaching service credited
28 to him at the time of his termination of membership in the New York
29 state teachers retirement system, and provided further that claim for
30 such service in war after World War I shall be filed by the member with
31 the retirement board before the first day of July, nineteen hundred
32 sixty-eight.

33 § 12. Paragraph c of subdivision 9 of section 503 of the education
34 law, as added by chapter 801 of the laws of 1962 and as renumbered by
35 chapter 41 of the laws of 1966, is amended to read as follows:

36 c. (i) has been honorably discharged or released under honorable
37 circumstances from such service, or (ii) has a qualifying condition, as
38 defined in section three hundred fifty of the executive law, and has
39 received a discharge other than bad conduct or dishonorable from such
40 service, or (iii) is a discharged LGBT veteran, as defined in section
41 three hundred fifty of the executive law, and has received a discharge
42 other than bad conduct or dishonorable from such service, and

43 § 13. Paragraph a of subdivision 10 of section 503 of the education
44 law, as amended by chapter 616 of the laws of 1995, is amended to read
45 as follows:

46 a. In addition to credit for military service pursuant to section two
47 hundred forty-three of the military law and subdivisions six through
48 nine of this section, a member employed as a full-time teacher by an
49 employer as defined in subdivision three of section five hundred one of
50 ~~[the education law]~~ this article and who joined the retirement system
51 prior to July first, nineteen hundred seventy-three, may obtain credit
52 for military service not in excess of three years and not otherwise
53 creditable under section two hundred forty-three of the military law and
54 subdivisions six through nine of this section, rendered on active duty
55 in the armed forces of the United States during the period commencing
56 July first, nineteen hundred forty, and terminating December thirty-

1 first, nineteen hundred forty-six, or on service by one who was employed
2 by the War Shipping Administration or Office of Defense Transportation
3 or their agents as a merchant seaman documented by the United States
4 Coast Guard or Department of Commerce, or as a civil servant employed by
5 the United States Army Transport Service (later redesignated as the
6 United States Army Transportation Corps, Water Division) or the Naval
7 Transportation Service; and who served satisfactorily as a crew member
8 during the period of armed conflict, December seventh, nineteen hundred
9 forty-one, to August fifteenth, nineteen hundred forty-five, aboard
10 merchant vessels in oceangoing, i.e., foreign, intercoastal, or coast-
11 wise service as such terms are defined under federal law (46 USCA 10301
12 & 10501) and further to include "near foreign" voyages between the
13 United States and Canada, Mexico, or the West Indies via ocean routes,
14 or public vessels in oceangoing service or foreign waters and who has
15 received a Certificate of Release or Discharge from Active Duty and a
16 discharge certificate, or an Honorable Service Certificate/Report of
17 Casualty, from the Department of Defense or on service by one who served
18 as a United States civilian employed by the American Field Service and
19 served overseas under United States Armies and United States Army Groups
20 in world war II during the period of armed conflict, December seventh,
21 nineteen hundred forty-one through May eighth, nineteen hundred forty-
22 five, and who (i) was discharged or released therefrom under honorable
23 conditions, or (ii) has a qualifying condition, as defined in section
24 three hundred fifty of the executive law, and has received a discharge
25 other than bad conduct or dishonorable from such service, or (iii) is a
26 discharged LGBT veteran, as defined in section three hundred fifty of
27 the executive law, and has received a discharge other than bad conduct
28 or dishonorable from such service, or on service by one who served as a
29 United States civilian Flight Crew and Aviation Ground Support Employee
30 of Pan American World Airways or one of its subsidiaries or its affil-
31 iates and served overseas as a result of Pan American's contract with
32 Air Transport Command or Naval Air Transport Service during the period
33 of armed conflict, December fourteenth, nineteen hundred forty-one
34 through August fourteenth, nineteen hundred forty-five, and who (iv) was
35 discharged or released therefrom under honorable conditions, or (v) has
36 a qualifying condition, as defined in section three hundred fifty of the
37 executive law, and has received a discharge other than bad conduct or
38 dishonorable from such service, or (vi) is a discharged LGBT veteran, as
39 defined in section three hundred fifty of the executive law, and has
40 received a discharge other than bad conduct or dishonorable from such
41 service, by a person who was a resident of New York state at the time of
42 entry into such service and at the time of being discharged therefrom
43 under honorable circumstances, and who makes the payments required in
44 accordance with the provisions of this subdivision.

45 However, no military service shall be creditable under this subdivi-
46 sion in the case of a member who is receiving a military pension (other
47 than for disability) for military service in the armed forces of the
48 United States.

49 § 14. Paragraph a of subdivision 10-a of section 503 of the education
50 law, as amended by chapter 616 of the laws of 1995, is amended to read
51 as follows:

52 a. In addition to credit for military service pursuant to section two
53 hundred forty-three of the military law and subdivisions six through
54 nine of this section, a member who joined the retirement system prior to
55 July first, nineteen hundred seventy-three, and who was not eligible for
56 credit for military service under subdivision ten of this section as a

1 result of being on a leave of absence without pay between July twentieth,
2 eth, nineteen hundred seventy-six and October fifteenth, nineteen
3 hundred seventy-seven or on leave of absence with less than full pay
4 between July twentieth, nineteen hundred seventy-six and October
5 fifteenth, nineteen hundred seventy-seven, may obtain credit for mili-
6 tary service not in excess of three years and not otherwise creditable
7 under section two hundred forty-three of the military law and subdivi-
8 sions six through nine of this section, rendered on active duty in the
9 armed forces of the United States during the period commencing July
10 first, nineteen hundred forty, and terminating December thirty-first,
11 nineteen hundred forty-six, or on service by one who was employed by the
12 War Shipping Administration or Office of Defense Transportation or their
13 agents as a merchant seaman documented by the United States Coast Guard
14 or Department of Commerce, or as a civil servant employed by the United
15 States Army Transport Service (later redesignated as the United States
16 Army Transportation Corps, Water Division) or the Naval Transportation
17 Service; and who served satisfactorily as a crew member during the peri-
18 od of armed conflict, December seventh, nineteen hundred forty-one, to
19 August fifteenth, nineteen hundred forty-five, aboard merchant vessels
20 in oceangoing, i.e., foreign, intercoastal, or coastwise service as such
21 terms are defined under federal law (46 USCA 10301 & 10501) and further
22 to include "near foreign" voyages between the United States and Canada,
23 Mexico, or the West Indies via ocean routes, or public vessels in ocean-
24 going service or foreign waters and who has received a Certificate of
25 Release or Discharge from Active Duty and a discharge certificate, or an
26 Honorable Service Certificate/Report of Casualty, from the Department of
27 Defense, or on service by one who served as a United States civilian
28 employed by the American Field Service and served overseas under United
29 States Armies and United States Army Groups in world war II during the
30 period of armed conflict, December seventh, nineteen hundred forty-one
31 through May eighth, nineteen hundred forty-five, and who (i) was
32 discharged or released therefrom under honorable conditions, or (ii) has
33 a qualifying condition, as defined in section three hundred fifty of the
34 executive law, and has received a discharge other than bad conduct or
35 dishonorable from such service, or (iii) is a discharged LGBT veteran,
36 as defined in section three hundred fifty of the executive law, and has
37 received a discharge other than bad conduct or dishonorable from such
38 service, or on service by one who served as a United States civilian
39 Flight Crew and Aviation Ground Support Employee of Pan American World
40 Airways or one of its subsidiaries or its affiliates and served overseas
41 as a result of Pan American's contract with Air Transport Command or
42 Naval Air Transport Service during the period of armed conflict, Decem-
43 ber fourteenth, nineteen hundred forty-one through August fourteenth,
44 nineteen hundred forty-five, and who (iv) was discharged or released
45 therefrom under honorable conditions, or (v) has a qualifying condition,
46 as defined in section three hundred fifty of the executive law, and has
47 received a discharge other than bad conduct or dishonorable from such
48 service, or (vi) is a discharged LGBT veteran, as defined in section
49 three hundred fifty of the executive law, and has received a discharge
50 other than bad conduct or dishonorable from such service, by a person
51 who was a resident of New York state at the time of entry into such
52 service and at the time of being discharged therefrom under honorable
53 circumstances, and who makes the payments required in accordance with
54 the provisions of this subdivision.

55 However, no military service shall be creditable under this subdivi-
56 sion in the case of a member who is receiving a military pension (other

1 than for disability) for military service in the armed forces of the
2 United States.

3 § 15. Paragraph (b) of subdivision 1 of section 668 of the education
4 law, as amended by chapter 616 of the laws of 1995, is amended to read
5 as follows:

6 (b) December seven, nineteen hundred forty-one to December thirty-one,
7 nineteen hundred forty-six, or have been employed by the War Shipping
8 Administration or Office of Defense Transportation or their agents as a
9 merchant seaman documented by the United States Coast Guard or Depart-
10 ment of Commerce, or as a civil servant employed by the United States
11 Army Transport Service (later redesignated as the United States Army
12 Transportation Corps, Water Division) or the Naval Transportation
13 Service; and who served satisfactorily as a crew member during the peri-
14 od of armed conflict, December seventh, nineteen hundred forty-one, to
15 August fifteenth, nineteen hundred forty-five, aboard merchant vessels
16 in oceangoing, i.e., foreign, intercoastal, or coastwise service as such
17 terms are defined under federal law (46 USCA 10301 & 10501) and further
18 to include "near foreign" voyages between the United States and Canada,
19 Mexico, or the West Indies via ocean routes, or public vessels in ocean-
20 going service or foreign waters and who has received a Certificate of
21 Release or Discharge from Active Duty and a discharge certificate, or an
22 Honorable Service Certificate/Report of Casualty, from the Department of
23 Defense or have served as a United States civilian employed by the Amer-
24 ican Field Service and served overseas under United States Armies and
25 United States Army Groups in world war II during the period of armed
26 conflict, December seventh, nineteen hundred forty-one through May
27 eighth, nineteen hundred forty-five, and who (i) was discharged or
28 released therefrom under honorable conditions, or (ii) has a qualifying
29 condition, as defined in section three hundred fifty of the executive
30 law, and has received a discharge other than bad conduct or dishonorable
31 from such service, or (iii) is a discharged LGBT veteran, as defined in
32 section three hundred fifty of the executive law, and has received a
33 discharge other than bad conduct or dishonorable from such service, or
34 have served as a United States civilian Flight Crew and Aviation Ground
35 Support Employee of Pan American World Airways or one of its subsid-
36 aries or its affiliates and served overseas as a result of Pan Ameri-
37 can's contract with Air Transport Command or Naval Air Transport Service
38 during the period of armed conflict, December fourteenth, nineteen
39 hundred forty-one through August fourteenth, nineteen hundred forty-
40 five, and who (iv) was discharged or released therefrom under honorable
41 conditions, or (v) has a qualifying condition, as defined in section
42 three hundred fifty of the executive law, and has received a discharge
43 other than bad conduct or dishonorable from such service, or (vi) is a
44 discharged LGBT veteran, as defined in section three hundred fifty of
45 the executive law, and has received a discharge other than bad conduct
46 or dishonorable from such service.

47 § 16. Paragraph (b) of subdivision 2 of section 668 of the education
48 law, as amended by chapter 390 of the laws of 1995, is amended to read
49 as follows:

50 (b) (i) is an honorably discharged veteran of the United States or
51 member of the armed forces of the United States, or (ii) has a qualify-
52 ing condition, as defined in section three hundred fifty of the execu-
53 tive law, and has received a discharge other than bad conduct or
54 dishonorable from such service, or (iii) is a discharged LGBT veteran,
55 as defined in section three hundred fifty of the executive law, and has
56 received a discharge other than bad conduct or dishonorable from such

1 service, who is a resident of the state of New York, and who has a
2 current disability of forty percent or more as a result of an injury or
3 illness which is incurred or was incurred during such military service;
4 or

5 § 17. Subdivision 1 of section 668-c of the education law, as added by
6 chapter 474 of the laws of 2000, is amended to read as follows:

7 1. Eligible students. Awards shall be made to Vietnam veterans' resi-
8 dent children born with Spina Bifida enrolled in approved undergraduate
9 or graduate programs at degree granting institutions. For the purpose of
10 this section, "Vietnam veteran" shall mean a person who served in Indo-
11 china at any time from the twenty-second day of December, nineteen
12 hundred sixty-one, to and including the seventh day of May, nineteen
13 hundred seventy-five and (a) was honorably discharged from the armed
14 forces of the United States, or (b) has a qualifying condition, as
15 defined in section three hundred fifty of the executive law, and has
16 received a discharge other than bad conduct or dishonorable from the
17 armed forces of the United States, or (c) is a discharged LGBT veteran,
18 as defined in section three hundred fifty of the executive law, and has
19 received a discharge other than bad conduct or dishonorable from the
20 armed forces of the United States; "born with Spina Bifida" shall mean a
21 diagnosis at birth of such disease inclusive of all forms, manifesta-
22 tions, complications and associated medical conditions thereof, but
23 shall not include Spina Bifida Occulta. Such diagnosis shall be in
24 accordance with the provisions of the federal Spina Bifida program and
25 shall be documented by the United States Administration of Veterans'
26 Affairs.

27 § 18. Subdivision 1 of section 669-a of the education law, as amended
28 by section 2 of part N of chapter 57 of the laws of 2008, is amended to
29 read as follows:

30 1. As used in this section, the following terms shall have the follow-
31 ing meanings:

32 a. "Vietnam veteran" means (i) a person who is a resident of this
33 state, (ii) who served in the armed forces of the United States in Indo-
34 china at any time from the twenty-eighth day of February, nineteen
35 hundred sixty-one, to and including the seventh day of May, nineteen
36 hundred seventy-five, and (iii) who was either discharged therefrom
37 under honorable conditions, including but not limited to honorable
38 discharge, discharge under honorable conditions, or general discharge,
39 or has a qualifying condition, as defined in section three hundred fifty
40 of the executive law, and has received a discharge other than bad
41 conduct or dishonorable from such service, or is a discharged LGBT
42 veteran, as defined in section three hundred fifty of the executive law,
43 and has received a discharge other than bad conduct or dishonorable from
44 such service.

45 b. "Persian Gulf veteran" means (i) a person who is a resident of this
46 state, (ii) who served in the armed forces of the United States in the
47 hostilities that occurred in the Persian Gulf from the second day of
48 August, nineteen hundred ninety through the end of such hostilities, and
49 (iii) who was either discharged therefrom under honorable conditions,
50 including but not limited to honorable discharge, discharge under honor-
51 able conditions, or general discharge, or has a qualifying condition, as
52 defined in section three hundred fifty of the executive law, and has
53 received a discharge other than bad conduct or dishonorable from such
54 service, or is a discharged LGBT veteran, as defined in section three
55 hundred fifty of the executive law, and has received a discharge other
56 than bad conduct or dishonorable from such service.

1 c. "Afghanistan veteran" means (i) a person who is a resident of this
2 state, (ii) who served in the armed forces of the United States in the
3 hostilities that occurred in Afghanistan from the eleventh day of
4 September, two thousand one, to the end of such hostilities, and (iii)
5 who was either discharged therefrom under honorable conditions, includ-
6 ing but not limited to honorable discharge, discharge under honorable
7 conditions, or general discharge, or has a qualifying condition, as
8 defined in section three hundred fifty of the executive law, and has
9 received a discharge other than bad conduct or dishonorable from such
10 service, or is a discharged LGBT veteran, as defined in section three
11 hundred fifty of the executive law, and has received a discharge other
12 than bad conduct or dishonorable from such service.

13 d. "Other eligible combat veteran" means: an individual who (i) is a
14 resident of this state, (ii) served in the armed forces of the United
15 States in hostilities that occurred after February twenty-eighth, nine-
16 teen hundred sixty-one, as evidenced by their receipt of an Armed Forces
17 Expeditionary Medal, Navy Expeditionary Medal, or Marine Corps Expedi-
18 tionary Medal, and (iii) was either discharged under honorable condi-
19 tions, including but not limited to honorable discharge, discharge under
20 honorable conditions, or general discharge, or has a qualifying condi-
21 tion, as defined in section three hundred fifty of the executive law,
22 and has received a discharge other than bad conduct or dishonorable from
23 such service, or is a discharged LGBT veteran, as defined in section
24 three hundred fifty of the executive law, and has received a discharge
25 other than bad conduct or dishonorable from such service.

26 e. "Part time study" means enrollment for at least three but less than
27 twelve semester hours per semester, or the equivalent, in an approved
28 undergraduate or graduate program.

29 f. "Approved vocational training programs" means programs offered by
30 agencies approved by the commissioner for funding pursuant to this
31 section. The commissioner shall approve only such non-credit programs
32 which are at least three hundred twenty clock hours in length, and which
33 meet standards of instructional quality established in regulations by
34 the commissioner. These standards shall include, but not be limited to,
35 qualifications of administrative and instructional personnel, quality of
36 facilities and equipment, recordkeeping, admission, grading, attendance,
37 and record of placement of completers which meets standards of accepta-
38 bility as established by the commissioner.

39 § 19. Subdivision 15 of section 1-104 of the election law is amended
40 to read as follows:

41 15. The term "veterans' hospital" means any sanitarium, hospital,
42 soldiers' and sailors' home, United States Veterans' Administration
43 Hospital, or other home or institution, which is used, operated and
44 conducted exclusively for the care, maintenance and treatment of persons
45 serving in [~~or honorably discharged from~~] the military or naval service
46 or coast guard of the United States or the state of New York, or persons
47 who (a) were honorably discharged from such service, or (b) have a qual-
48 ifying condition, as defined in section three hundred fifty of the exec-
49 utive law, and have received a discharge other than bad conduct or
50 dishonorable from such service, or (c) are a discharged LGBT veteran, as
51 defined in section three hundred fifty of the executive law, and have
52 received a discharge other than bad conduct or dishonorable from such
53 service.

54 § 20. Subdivision 4 of section 5-210 of the election law, as amended
55 by chapter 179 of the laws of 2005, is amended to read as follows:

4. Any qualified person who has been honorably discharged from the military after the twenty-fifth day before a general election, or who has a qualifying condition, as defined in section three hundred fifty of the executive law, and has received a discharge other than bad conduct or dishonorable from the military after the twenty-fifth day before a general election, or who is a discharged LGBT veteran, as defined in section three hundred fifty of the executive law, and has received a discharge other than bad conduct or dishonorable from the military after the twenty-fifth day before a general election, or who has become a naturalized citizen after the twenty-fifth day before a general election may personally register at the board of elections in the county of his or her residence and vote in the general election held at least ten days after such registration.

§ 21. Subdivision 13 of section 353 of the executive law, as added by chapter 652 of the laws of 2007, is amended to read as follows:

13. To make application to the government of the United States or any political subdivision, agency or instrumentality thereof, for funds for the purpose of providing an optional fund for the burial of [~~honorably discharged~~] veterans who (i) were honorably discharged or (ii) had a qualifying condition, as defined in section three hundred fifty of this article, and received a discharge other than bad conduct or dishonorable, or (iii) were a discharged LGBT veteran, as defined in section three hundred fifty of this article, and received a discharge other than bad conduct or dishonorable, in any not-for-profit cemetery corporation in this state; provided, however, that all costs associated with the establishment of such optional fund shall be borne by the political subdivision, agency or instrumentality with which the division has contracted.

§ 22. The opening paragraph of subdivision 2 of section 354-c of the executive law, as added by chapter 652 of the laws of 2007, is amended to read as follows:

As provided in subdivision thirteen of section three hundred fifty-three of this article, there is hereby established within the division a New York state veterans burial fund for honorably discharged members of the armed forces of the United States who were residents of New York state at the time of his or her death who (i) were honorably discharged from such service, or (ii) had a qualifying condition, as defined in section three hundred fifty of this article, and received a discharge other than bad conduct or dishonorable from such service, or (iii) were discharged LGBT veterans, as defined in section three hundred fifty of this article, and received a discharge other than bad conduct or dishonorable from such service.

§ 23. Paragraph a of subdivision 1 of section 364 of the executive law, as amended by chapter 333 of the laws of 1993, subparagraph 5 as amended by chapter 616 of the laws of 1995, and subparagraph 7 as amended by chapter 179 of the laws of 2006, is amended to read as follows:

a. The word "veteran," as used in this article shall be taken to mean and include any person who is a resident of the state of New York, and who (i) has been or may be given an honorable, general or ordinary discharge or any other form of release from such service, except a dishonorable discharge, a bad conduct discharge, an undesirable discharge, a discharge without honor or a discharge for the good of the service, or (ii) has a qualifying condition, as defined in section three hundred fifty of this article, and has received a discharge other than bad conduct or dishonorable from such service, or (iii) is a discharged

LGBT veteran, as defined in section three hundred fifty of this article, and has received a discharge other than bad conduct or dishonorable from such service, and who [~~(i)~~] (iv) was a recipient of the armed forces expeditionary medal, the navy expeditionary medal or the marine corps expeditionary medal for participation in operations in Lebanon from June first, nineteen hundred eighty-three to December first, nineteen hundred eighty-seven, in Grenada from October twenty-third, nineteen hundred eighty-three to November twenty-first, nineteen hundred eighty-three, or in Panama from December twentieth, nineteen hundred eighty-nine to January thirty-first, nineteen hundred ninety, or [~~(i)~~] (v) served on active duty for ninety days or more in the armed forces of the United States during any one of the following wars or hostilities:

(1) in the Spanish-American war from the twenty-first day of April, eighteen hundred ninety-eight to the eleventh day of April, eighteen hundred ninety-nine, inclusive;

(2) in the Philippine insurrection or the China relief expedition from the eleventh day of April, eighteen hundred ninety-nine to the fourth day of July, nineteen hundred two, inclusive;

(3) in the Mexican border campaign from the ninth day of May, nineteen hundred sixteen, to the fifth day of April, nineteen hundred seventeen, inclusive;

(4) in world war I from the sixth day of April, nineteen hundred seventeen to the eleventh day of November, nineteen hundred eighteen, inclusive;

(5) in world war II from the seventh day of December, nineteen hundred forty-one to the thirty-first day of December, nineteen hundred forty-six, inclusive, or who was employed by the War Shipping Administration or Office of Defense Transportation or their agents as a merchant seaman documented by the United States Coast Guard or Department of Commerce, or as a civil servant employed by the United States Army Transportation Service (later redesignated as the United States Army Transportation Corps, Water Division) or the Naval Transportation Service; and who served satisfactorily as a crew member during the period of armed conflict, December seventh, nineteen hundred forty-one, to August fifteenth, nineteen hundred forty-five, aboard merchant vessels in oceangoing, i.e., foreign, intercoastal, or coastwise service as such terms are defined under federal law (46 USCA 10301 & 10501) and further to include "near foreign" voyages between the United States and Canada, Mexico, or the West Indies via ocean routes, or public vessels in oceangoing service or foreign waters and who has received a Certificate of Release or Discharge from Active Duty and a discharge certificate, or an Honorable Service Certificate/Report of Casualty, from the Department of Defense, or who served as a United States civilian employed by the American Field Service and served overseas under United States Armies and United States Army Groups in world war II during the period of armed conflict, December seventh, nineteen hundred forty-one through May eighth, nineteen hundred forty-five, and who (i) was discharged or released therefrom under honorable conditions, or (ii) has a qualifying condition, as defined in section three hundred fifty of this article, and has received a discharge other than bad conduct or dishonorable from such service, or (iii) is a discharged LGBT veteran, as defined in section three hundred fifty of this article, and has received a discharge other than bad conduct or dishonorable from such service, or who served as a United States civilian Flight Crew and Aviation Ground Support Employee of Pan American World Airways or one of its subsidiaries or its affiliates and served overseas as a result of Pan Ameri-

can's contract with Air Transport Command or Naval Air Transport Service during the period of armed conflict, December fourteenth, nineteen hundred forty-one through August fourteenth, nineteen hundred forty-five, and who (iv) was discharged or released therefrom under honorable conditions, or (v) has a qualifying condition, as defined in section three hundred fifty of this article, and has received a discharge other than bad conduct or dishonorable from such service, or (vi) is a discharged LGBT veteran, as defined in section three hundred fifty of this article, and has received a discharge other than bad conduct or dishonorable from such service;

(6) in the Korean hostilities from the twenty-seventh day of June, nineteen hundred fifty to the thirty-first day of January, nineteen hundred fifty-five, inclusive;

(7) in the Vietnam conflict from the twenty-eighth day of February, nineteen hundred sixty-one to the seventh day of May, nineteen hundred seventy-five;

(8) in the Persian Gulf conflict from the second day of August, nineteen hundred ninety to the end of such conflict.

§ 24. Section 369-a of the executive law, as added by chapter 557 of the laws of 2013, is amended to read as follows:

§ 369-a. Legislative findings. The legislature hereby finds that it is estimated that over the next five years, forty-four thousand veterans are expected to return to this state from their military posts, making the Empire State home to one of the largest veteran populations in the country. Shockingly, the unemployment rate for Post-9/11 veterans in New York was 10.7% in two thousand twelve, which is nearly one percent higher than the national average and higher than the state's overall 8.2% unemployment rate. The legislature has found previously that it is in the interest of the state to ensure that returning veterans have employment opportunities available upon their separation from military service.

The state already encourages private businesses to hire military veterans through tax credits and other economic incentives. In addition, the legislature has previously found that state agencies spend millions of dollars annually on temporary staff hired from temporary employment service companies to cover temporary staffing needs. These temporary state jobs could serve as a bridge for recently discharged military veterans who have yet to find full-time permanent work. In addition, these temporary assignments could serve to develop the next generation of the state workforce and help with succession planning for the current workforce.

The legislature declares it to be the policy of this state to use ~~[honorably discharged]~~ veterans for temporary appointments in state agencies rather than utilizing temporary employment service companies in order to provide employment opportunities for returning military veterans.

§ 25. Subdivision 7 of section 369-h of the executive law, as added by chapter 22 of the laws of 2014, is amended to read as follows:

7. "Veteran" shall mean a person who served in ~~[and who has received an honorable or general discharge from,~~ the United States army, navy, air force, marines, coast guard, and/or reserves thereof, and/or in the army national guard, air national guard, New York guard and/or the New York naval militia, and who (i) has received an honorable or general discharge from such service, or (ii) has a qualifying condition, as defined in section three hundred fifty of this chapter, and has received a discharge other than bad conduct or dishonorable from such service, or

1 (iii) is a discharged LGBT veteran, as defined in section three hundred
2 fifty of this chapter, and has received a discharge other than bad
3 conduct or dishonorable from such service.

4 § 26. Section 13-a of the general construction law, as amended by
5 chapter 616 of the laws of 1995, is amended to read as follows:

6 § 13-a. Armed forces of the United States. "Armed forces of the United
7 States" means the army, navy, marine corps, air force and coast guard,
8 including all components thereof, and the national guard when in the
9 service of the United States pursuant to call as provided by law. Pursu-
10 ant to this definition no person shall be considered a member or veteran
11 of the armed forces of the United States unless his or her service ther-
12 ein is or was on a full-time active duty basis, other than active duty
13 for training or he or she was employed by the War Shipping Adminis-
14 tration or Office of Defense Transportation or their agents as a
15 merchant seaman documented by the United States Coast Guard or Depart-
16 ment of Commerce, or as a civil servant employed by the United States
17 Army Transport Service (later redesignated as the United States Army
18 Transportation Corps, Water Division) or the Naval Transportation
19 Service; and who served satisfactorily as a crew member during the peri-
20 od of armed conflict, December seventh, nineteen hundred forty-one, to
21 August fifteenth, nineteen hundred forty-five, aboard merchant vessels
22 in oceangoing, i.e., foreign, intercoastal, or coastwise service as such
23 terms are defined under federal law (46 USCA 10301 & 10501) and further
24 to include "near foreign" voyages between the United States and Canada,
25 Mexico, or the West Indies via ocean routes, or public vessels in ocean-
26 going service or foreign waters and who has received a Certificate of
27 Release or Discharge from Active Duty and a discharge certificate, or an
28 Honorable Service Certificate/Report of Casualty, from the Department of
29 Defense or he or she served as a United States civilian employed by the
30 American Field Service and served overseas under United States Armies
31 and United States Army Groups in world war II during the period of armed
32 conflict, December seventh, nineteen hundred forty-one through May
33 eighth, nineteen hundred forty-five, and (i) was discharged or released
34 therefrom under honorable conditions, or (ii) has a qualifying condi-
35 tion, as defined in section three hundred fifty of the executive law,
36 and has received a discharge other than bad conduct or dishonorable from
37 such service, or (iii) is a discharged LGBT veteran, as defined in
38 section three hundred fifty of the executive law, and has received a
39 discharge other than bad conduct or dishonorable from such service, or
40 he or she served as a United States civilian Flight Crew and Aviation
41 Ground Support Employee of Pan American World Airways or one of its
42 subsidiaries or its affiliates and served overseas as a result of Pan
43 American's contract with Air Transport Command or Naval Air Transport
44 Service during the period of armed conflict, December fourteenth, nine-
45 teen hundred forty-one through August fourteenth, nineteen hundred
46 forty-five, and (iv) was discharged or released therefrom under honor-
47 able conditions, or (v) has a qualifying condition, as defined in
48 section three hundred fifty of the executive law, and has received a
49 discharge other than bad conduct or dishonorable from such service, or
50 (vi) is a discharged LGBT veteran, as defined in section three hundred
51 fifty of the executive law, and has received a discharge other than bad
52 conduct or dishonorable from such service.

53 § 27. Paragraph (a) of subdivision 1 of section 148 of the general
54 municipal law, as amended by chapter 613 of the laws of 1986, is amended
55 to read as follows:

(a) The board of supervisors in each of the counties, or the board of estimate in the city of New York, shall designate some proper person, association or commission, other than that designated for the care of burial of public charges or criminals, who shall cause to be interred the body of any ~~[honorably discharged]~~ member of the armed forces of the United States who (i) was honorably discharged from such service or (ii) had a qualifying condition, as defined in section three hundred fifty of the executive law, and received a discharge other than bad conduct or dishonorable from such service, or (iii) was a discharged LGBT veteran, as defined in section three hundred fifty of the executive law, and received a discharge other than bad conduct or dishonorable from such service, or the body of any minor child or either parent, or the spouse or unremarried surviving spouse of any such member of the armed forces of the United States, if such person shall hereafter die in a county or in the city of New York without leaving sufficient means to defray his or her funeral expenses.

§ 28. Paragraph (b) of subdivision 2 of section 148 of the general municipal law, as amended by chapter 63 of the laws of 1976, is amended to read as follows:

(b) The headstone at the grave of the spouse or surviving spouse of such ~~[honorably discharged]~~ member of the armed forces of the United States shall contain the name of the deceased, the war in which his or her spouse served and, if possible, the organization to which he or she belonged or in which he or she served.

§ 29. Subdivision 1-b of section 247 of the military law, as amended by section 26 of part AA of chapter 56 of the laws of 2019, is amended to read as follows:

1-b. The adjutant general is hereby authorized to present in the name of the legislature of the state of New York, a certificate, to be known as the "Cold War Certificate", bearing a suitable inscription, to any person: (i) who is a citizen of the state of New York or (ii) who was a citizen of the state of New York while serving in the armed forces of the United States; (iii) who served in the United States Armed Forces during the period of time from September second, nineteen hundred forty-five through December twenty-sixth, nineteen hundred ninety-one, commonly known as the Cold War Era; and (iv) who was honorably discharged or released under honorable circumstances during the Cold War Era, or has a qualifying condition, as defined in section three hundred fifty of the executive law, and received a discharge other than bad conduct or dishonorable during the Cold War Era, or is a discharged LGBT veteran, as defined in section three hundred fifty of the executive law, and received a discharge other than bad conduct or dishonorable during the Cold War Era. Not more than one Cold War Certificate shall be awarded or presented, under the provisions of this subdivision, to any person whose entire service subsequent to the time of the receipt of such medal shall not have been honorable. In the event of the death of any person during or subsequent to the receipt of such certificate it shall be presented to such representative of the deceased as may be designated. The adjutant general, in consultation with the director of the division of veterans' services, shall make such rules and regulations as may be deemed necessary for the proper presentation and distribution of the certificate.

§ 30. Paragraph 1 of subdivision (a) of section 42 of the correction law, as amended by chapter 139 of the laws of 2014, is amended to read as follows:

1 1. There shall be within the commission a citizen's policy and
2 complaint review council. It shall consist of nine persons to be
3 appointed by the governor, by and with the advice and consent of the
4 senate. One person so appointed shall have served in the armed forces of
5 the United States in any foreign war, conflict or military occupation,
6 who (i) was discharged therefrom under other than dishonorable condi-
7 tions, or (ii) has a qualifying condition, as defined in section three
8 hundred fifty of the executive law, and has received a discharge other
9 than bad conduct or dishonorable from such service, or (iii) is a
10 discharged LGBT veteran, as defined in section three hundred fifty of
11 the executive law, and has received a discharge other than bad conduct
12 or dishonorable from such service, or shall be a duly licensed mental
13 health professional who has professional experience or training with
14 regard to post-traumatic stress syndrome. One person so appointed shall
15 be an attorney admitted to practice in this state. One person so
16 appointed shall be a former inmate of a correctional facility. One
17 person so appointed shall be a former correction officer. One person so
18 appointed shall be a former resident of a division for youth secure
19 center or a health care professional duly licensed to practice in this
20 state. One person so appointed shall be a former employee of the office
21 of children and family services who has directly supervised youth in a
22 secure residential center operated by such office. In addition, the
23 governor shall designate one of the full-time members other than the
24 chairman of the commission as chairman of the council to serve as such
25 at the pleasure of the governor.

26 § 31. Subdivision 5 of section 605 of the education law, as separately
27 amended by chapters 645 and 844 of the laws of 1975, is amended to read
28 as follows:

29 5. Regents scholarships for war veterans. Regents scholarships for war
30 veterans shall be awarded on a competitive basis, for study beginning
31 with the college year nineteen hundred seventy-five--nineteen hundred
32 seventy-six. Six hundred such scholarships shall be awarded in such year
33 to veterans of the armed forces of the United States who have served on
34 active duty (other than for training) between October one, nineteen
35 hundred sixty-one and March twenty-nine, nineteen hundred seventy-three,
36 and who on the date by which applications are required to be submitted
37 (a) have been released from such active duty on conditions not other
38 than honorable, or (b) have a qualifying condition, as defined in
39 section three hundred fifty of the executive law, and have received a
40 discharge other than bad conduct or dishonorable from such service, or
41 (c) are discharged LGBT veterans, as defined in section three hundred
42 fifty of the executive law, and have received a discharge other than bad
43 conduct or dishonorable from such service. Such scholarships shall be
44 allocated to each county in the state in the same ratio that the number
45 of legal residents in such county, as determined by the most recent
46 federal census, bears to the total number of residents in the state;
47 provided, however, that no county shall be allocated fewer scholarships
48 than such county received during the year nineteen hundred sixty-eight-
49 -sixty-nine.

50 § 32. Subparagraph 3 of paragraph b of subdivision 3 of section 663 of
51 the education law, as added by chapter 101 of the laws of 1992, is
52 amended to read as follows:

53 (3) The applicant was enlisted in full time active military service in
54 the armed forces of the United States and (i) has been honorably
55 discharged from such service, or (ii) has a qualifying condition, as
56 defined in section three hundred fifty of the executive law, and has

1 received a discharge other than bad conduct or dishonorable from such
2 service, or (iii) is a discharged LGBT veteran, as defined in section
3 three hundred fifty of the executive law, and has received a discharge
4 other than bad conduct or dishonorable from such service, and, provided,
5 however, that the applicant has not and will not be claimed as a depend-
6 ent by either parent for purposes of either federal or state income tax.

7 § 33. Subdivision 1 of section 3202 of the education law, as amended
8 by chapter 106 of the laws of 2003, is amended to read as follows:

9 1. A person over five and under twenty-one years of age who has not
10 received a high school diploma is entitled to attend the public schools
11 maintained in the district in which such person resides without the
12 payment of tuition. Provided further that such person may continue to
13 attend the public school in such district in the same manner, if tempo-
14 rarily residing outside the boundaries of the district when relocation
15 to such temporary residence is a consequence of such person's parent or
16 person in parental relationship being called to active military duty,
17 other than training. Notwithstanding any other provision of law to the
18 contrary, the school district shall not be required to provide transpor-
19 tation between a temporary residence located outside of the school
20 district and the school the child attends. A veteran of any age who
21 shall have served as a member of the armed forces of the United States
22 and who (a) shall have been discharged therefrom under conditions other
23 than dishonorable, or (b) has a qualifying condition, as defined in
24 section three hundred fifty of the executive law, and has received a
25 discharge other than bad conduct or dishonorable from such service, or
26 (c) is a discharged LGBT veteran, as defined in section three hundred
27 fifty of the executive law, and has received a discharge other than bad
28 conduct or dishonorable from such service, may attend any of the public
29 schools of the state upon conditions prescribed by the board of educa-
30 tion, and such veterans shall be included in the pupil count for state
31 aid purposes. A nonveteran under twenty-one years of age who has
32 received a high school diploma shall be permitted to attend classes in
33 the schools of the district in which such person resides or in a school
34 of a board of cooperative educational services upon payment of tuition
35 under such terms and conditions as shall be established in regulations
36 promulgated by the commissioner; provided, however, that a school
37 district may waive the payment of tuition for such nonveteran, but in
38 any case such a nonveteran who has received a high school diploma shall
39 not be counted for any state aid purposes. Nothing herein contained
40 shall, however, require a board of education to admit a child who
41 becomes five years of age after the school year has commenced unless his
42 birthday occurs on or before the first of December.

43 § 34. Subdivision 4 of section 11-0715 of the environmental conserva-
44 tion law, as amended by section 6 of part R of chapter 58 of the laws of
45 2013, is amended to read as follows:

46 4. A person, resident in the state for at least thirty days immediate-
47 ly prior to the date of application, who (a) has been honorably
48 discharged from service in the armed forces of the United States, or (b)
49 has a qualifying condition, as defined in section three hundred fifty of
50 the executive law, and has received a discharge other than bad conduct
51 or dishonorable from such service, or (c) is a discharged LGBT veteran,
52 as defined in section three hundred fifty of the executive law, and has
53 received a discharge other than bad conduct or dishonorable from such
54 service, and is certified as having a forty percent or greater service-
55 connected disability is entitled to receive all licenses, privileges,

1 tags, and permits authorized by this title for which he or she is eligi-
2 ble, except turkey permits, renewable each year for a five dollar fee.

3 § 35. Subparagraph (iv) of paragraph c of subdivision 1 of section
4 13-0328 of the environmental conservation law, as amended by chapter 21
5 of the laws of 2019, is amended to read as follows:

6 (iv) licenses shall be issued only to persons who demonstrate in a
7 manner acceptable to the department that they received an average of at
8 least fifteen thousand dollars of income over three consecutive years
9 from commercial fishing or fishing, or who successfully complete a
10 commercial food fish apprenticeship pursuant to subdivision seven of
11 this section. As used in this subparagraph, "commercial fishing" means
12 the taking and sale of marine resources including fish, shellfish, crus-
13 tacea or other marine biota and "fishing" means commercial fishing and
14 carrying fishing passengers for hire. Individuals who wish to qualify
15 based on income from "fishing" must hold a valid marine and coastal
16 district party and charter boat license. No more than ten percent of the
17 licenses issued each year based on income eligibility pursuant to this
18 paragraph shall be issued to applicants who qualify based solely upon
19 income derived from operation of or employment by a party or charter
20 boat. For the income evaluation of this subdivision, the department may
21 consider persons who would otherwise be eligible but for having served
22 in the United States armed forces on active duty, provided that such
23 individual (1) has received an honorable or general discharge, or (2)
24 has a qualifying condition, as defined in section three hundred fifty of
25 the executive law, and has received a discharge other than bad conduct
26 or dishonorable from such service, or (3) is a discharged LGBT veteran,
27 as defined in section three hundred fifty of the executive law, and has
28 received a discharge other than bad conduct or dishonorable from such
29 service, shall not be deemed ineligible.

30 § 36. Subdivision 1 of section 130 of the executive law, as amended by
31 section 1 of subpart D of part II of chapter 55 of the laws of 2019, is
32 amended to read as follows:

33 1. The secretary of state may appoint and commission as many notaries
34 public for the state of New York as in his or her judgment may be deemed
35 best, whose jurisdiction shall be co-extensive with the boundaries of
36 the state. The appointment of a notary public shall be for a term of
37 four years. An application for an appointment as notary public shall be
38 in form and set forth such matters as the secretary of state shall
39 prescribe. Every person appointed as notary public must, at the time of
40 his or her appointment, be a citizen of the United States and either a
41 resident of the state of New York or have an office or place of business
42 in New York state. A notary public who is a resident of the state and
43 who moves out of the state but still maintains a place of business or an
44 office in New York state does not vacate his or her office as a notary
45 public. A notary public who is a nonresident and who ceases to have an
46 office or place of business in this state, vacates his or her office as
47 a notary public. A notary public who is a resident of New York state and
48 moves out of the state and who does not retain an office or place of
49 business in this state shall vacate his or her office as a notary
50 public. A non-resident who accepts the office of notary public in this
51 state thereby appoints the secretary of state as the person upon whom
52 process can be served on his or her behalf. Before issuing to any appli-
53 cant a commission as notary public, unless he or she be an attorney and
54 counsellor at law duly admitted to practice in this state or a court
55 clerk of the unified court system who has been appointed to such posi-
56 tion after taking a civil service promotional examination in the court

1 clerk series of titles, the secretary of state shall satisfy himself or
2 herself that the applicant is of good moral character, has the equiv-
3 alent of a common school education and is familiar with the duties and
4 responsibilities of a notary public; provided, however, that where a
5 notary public applies, before the expiration of his or her term, for
6 reappointment with the county clerk or where a person whose term as
7 notary public shall have expired applies within six months thereafter
8 for reappointment as a notary public with the county clerk, such quali-
9 fying requirements may be waived by the secretary of state, and further,
10 where an application for reappointment is filed with the county clerk
11 after the expiration of the aforementioned renewal period by a person
12 who failed or was unable to re-apply by reason of his or her induction
13 or enlistment in the armed forces of the United States, such qualifying
14 requirements may also be waived by the secretary of state, provided such
15 application for reappointment is made within a period of one year after
16 the military discharge of the applicant under conditions other than
17 dishonorable, or if the applicant has a qualifying condition, as defined
18 in section three hundred fifty of this chapter, within a period of one
19 year after the applicant has received a discharge other than bad conduct
20 or dishonorable from such service, or if the applicant is a discharged
21 LGBT veteran, as defined in section three hundred fifty of this chapter,
22 within a period of one year after the applicant has received a discharge
23 other than bad conduct or dishonorable from such service. In any case,
24 the appointment or reappointment of any applicant is in the discretion
25 of the secretary of state. The secretary of state may suspend or remove
26 from office, for misconduct, any notary public appointed by him or her
27 but no such removal shall be made unless the person who is sought to be
28 removed shall have been served with a copy of the charges against him or
29 her and have an opportunity of being heard. No person shall be appointed
30 as a notary public under this article who has been convicted, in this
31 state or any other state or territory, of a crime, unless the secretary
32 makes a finding in conformance with all applicable statutory require-
33 ments, including those contained in article twenty-three-A of the
34 correction law, that such convictions do not constitute a bar to
35 appointment.

36 § 37. Subdivisions 1, 2, and 3 of section 32 of the general business
37 law, subdivisions 1 and 3 as amended by chapter 650 of the laws of 1976
38 and subdivision 2 as amended by chapter 321 of the laws of 1955, are
39 amended to read as follows:

40 1. Every [~~honorably discharged~~] member of the armed forces of the
41 United States[~~r~~] who (a) was honorably discharged from such service, or
42 (b) has a qualifying condition, as defined in section three hundred
43 fifty of the executive law, and has received a discharge other than bad
44 conduct or dishonorable from such service, or (c) is a discharged LGBT
45 veteran, as defined in section three hundred fifty of the executive law,
46 and has received a discharge other than bad conduct or dishonorable from
47 such service, and who is a resident of this state and a veteran of any
48 war, or who shall have served in the armed forces of the United States
49 overseas, and the surviving spouse of any such veteran, if a resident of
50 the state, shall have the right to hawk, peddle, vend and sell goods,
51 wares or merchandise or solicit trade upon the streets and highways
52 within the county of his or her residence, as the case may be, or if
53 such county is embraced wholly by a city, within such city, by procuring
54 a license for that purpose to be issued as herein provided. No part of
55 the lands or premises under the jurisdiction of the division of the

1 state fair in the department of agriculture and markets, shall be deemed
2 a street or highway within the meaning of this section.

3 2. Any such former member of the armed forces of the United States may
4 present to the clerk of any county in which he has resided for a period
5 of at least six months, his original certificate of ~~[honorable]~~ release
6 or discharge from active duty, or a copy thereof duly certified by the
7 recording officer or a certificate in lieu of lost discharge issued by a
8 department of the armed forces of the United States which shall show
9 that the person presenting it is a veteran of any war, or that he has
10 served overseas in the armed forces of the United States. He shall also
11 fill out a blank which shall when filled out state his name, residence
12 at the time of application, nature of goods to be sold, and if the
13 applicant is working on commission or percentage for any person, firm or
14 corporation, the name and business address of such person, firm or
15 corporation. This statement shall be signed by the applicant in the
16 presence of the county clerk, or a deputy designated by him, and the
17 name on this application and on the original certificate of ~~[honorable]~~
18 release or discharge from active duty shall be compared by the county
19 clerk to ascertain if the person so applying is the same person named in
20 the original certificate of ~~[honorable]~~ release or discharge from active
21 duty. Such county clerk when so satisfied shall issue, without cost, to
22 such former member of the armed forces of the United States, a license
23 certifying him to be entitled to the benefits of this section.

24 3. A copy of this statement shall be attached to the license granted
25 by the county clerk and shall remain attached thereto. On presentation
26 to such clerk of the affidavit of such surviving spouse and two other
27 residents of the county, that he or she is such surviving spouse, accom-
28 panied by such original certificate of ~~[honorable]~~ release or discharge
29 from active duty of his or her deceased spouse, and the filing of the
30 statement hereinabove required, such county clerk shall issue, without
31 cost to the surviving spouse, a license certifying the surviving spouse
32 to be entitled to the benefits of this section.

33 § 38. Section 35 of the general business law, as amended by chapter
34 550 of the laws of 1978, is amended to read as follows:

35 § 35. Municipal regulations. This article shall not affect the appli-
36 cation of any ordinance, by-law or regulation of a municipal corporation
37 relating to hawkers and peddlers within the limits of such corporations,
38 but the provisions of this article are to be complied with in addition
39 to the requirements of any such ordinance, by-law or regulation;
40 provided, however, that no such by-law, ordinance or regulation shall
41 prevent or in any manner interfere with the hawking or peddling, without
42 the use of any but a hand driven vehicle, in any street, avenue, alley,
43 lane or park of a municipal corporation, by any honorably discharged
44 member of the armed forces of the United States who (1) was honorably
45 discharged from such service, or (2) has a qualifying condition, as
46 defined in section three hundred fifty of the executive law, and has
47 received a discharge other than bad conduct or dishonorable from such
48 service, or (3) is a discharged LGBT veteran, as defined in section
49 three hundred fifty of the executive law, and has received a discharge
50 other than bad conduct or dishonorable from such service, and who is
51 physically disabled as a result of injuries received while in the
52 service of said armed forces and the holder of a license granted pursu-
53 ant to section thirty-two of this article.

54 § 39. Paragraph (a) of subdivision 1 of section 35-a of the general
55 business law, as added by chapter 227 of the laws of 1998, is amended to
56 read as follows:

(a) In cities having a population of one million or more, the official designated by a local law or ordinance to issue a local license to hawk, peddle, vend and sell goods, wares or merchandise or solicit trade upon the streets and highways within such city shall issue specialized vending licenses to ~~[honorably discharged]~~ members of the armed forces of the United States who (i) were honorably discharged from such service, or (ii) have a qualifying condition, as defined in section three hundred fifty of the executive law, and received a discharge other than bad conduct or dishonorable from such service, or (iii) are a discharged LGBT veteran, as defined in section three hundred fifty of the executive law, and received a discharge other than bad conduct or dishonorable from such service, and who are physically disabled as a result of injuries received while in the service of said armed forces and who are eligible to hold licenses granted pursuant to section thirty-two of this article. Such specialized vending licenses shall authorize holders thereof to hawk or peddle within such city in accordance with the provisions contained in this section. Specialized vending licenses issued under this section shall permit the holders thereof to vend on any block face, and no licensee authorized under this section shall be restricted in any way from vending in any area, except as provided in this section.

§ 40. Paragraph (b) of subdivision 3 of section 69-p of the general business law, as amended by chapter 575 of the laws of 1993, is amended to read as follows:

(b) In the case of persons who are or were in the military service and (i) have been or will be discharged under conditions other than dishonorable, or (ii) have a qualifying condition, as defined in section three hundred fifty of the executive law, and received a discharge other than bad conduct or dishonorable from such service, or (iii) are discharged LGBT veterans, as defined in section three hundred fifty of the executive law, and have received a discharge other than bad conduct or dishonorable from such service, the period of two years specified in subdivision one of this section need not be continuous. The length of time such person was engaged in the business of installing, servicing or maintaining security or fire alarm systems before entering the military service may be added to any period of time during which such person was or is engaged in the business of installing, servicing or maintaining security or fire alarm systems after the termination of military service.

§ 41. The closing paragraph of section 435 of the general business law, as added by chapter 801 of the laws of 1946, is amended to read as follows:

In the case of persons who are or were in the military service and (a) have been or will be discharged under conditions other than dishonorable, or (b) have a qualifying condition, as defined in section three hundred fifty of the executive law, and received a discharge other than bad conduct or dishonorable from such service, or (c) are discharged LGBT veterans, as defined in section three hundred fifty of the executive law, and have received a discharge other than bad conduct or dishonorable from such service, the period of one year specified in subdivision one of this section and the period of six months specified in subdivision two of this section need not be continuous. The length of time such person was engaged in the practice of barbering before entering the military service may be added to any period of time during which such person was or is engaged in the practice of barbering after the termination of military service.

§ 42. Subdivision 1 of section 77 of the general municipal law, as amended by chapter 476 of the laws of 2018, is amended to read as follows:

1. A municipal corporation may lease, for not exceeding five years, to a post or posts of the Grand Army of the Republic, Veterans of Foreign Wars of the United States, American Legion, Catholic War Veterans, Inc., Disabled American Veterans, the Army and Navy Union, U.S.A., Marine Corps League, AMVETS, American Veterans of World War II, Jewish War Veterans of the United States, Inc., Italian American War Veterans of the United States, Incorporated, Masonic War Veterans of the State of New York, Inc., Veterans of World War I of the United States of America Department of New York, Inc., Polish-American Veterans of World War II, Amsterdam, N.Y., Inc., Polish-American Veterans of World War II, Schenectady, N.Y., Inc., Polish Legion of American Veterans, Inc., Vietnam Veterans of America or other veteran organization of ~~[honorably discharged]~~ members of the armed forces of the United States who (a) were honorably discharged from such service or (b) have a qualifying condition, as defined in section three hundred fifty of the executive law, and received a discharge other than bad conduct or dishonorable from such service, or (c) are discharged LGBT veterans, as defined in section three hundred fifty of the executive law, and received a discharge other than bad conduct or dishonorable from such service, or to an incorporated organization or an association of either active or exempt volunteer firefighters, a public building or part thereof, belonging to such municipal corporation, except schoolhouses in actual use as such, without expense, or at a nominal rent, fixed by the board or council having charge of such buildings and provide furniture and furnishings, and heat, light and janitor service therefor, in like manner.

§ 43. Section 117-c of the highway law, as added by chapter 387 of the laws of 1998, is amended to read as follows:

§ 117-c. Hawking, peddling, vending, sale of goods, wares or merchandise; Erie county; certain areas. Notwithstanding any law to the contrary, except section thirty-five of the general business law, the county of Erie shall have the power to enact a local law prohibiting hawking, peddling, vending and sale of goods, wares or merchandise or solicitation of trade in the right-of-way of county roads adjacent to arenas, stadiums, auditoriums or like facilities, which contain fifty thousand or more seats, which are used for events likely to attract large numbers of spectators, including but not limited to home games of a National Football League franchise. Provided, however, that the power to enact such local law shall be subject to the requirement that provision be made, by lease agreement, regulation or otherwise, for the hawking, peddling, vending and sales of goods, wares or merchandise or solicitation of trade in designated vending areas on the ground of county-owned lands leased for use as an arena, stadium or auditorium or like facility which contain fifty thousand or more seats; and further provided that ~~[honorably discharged]~~ members of the armed forces of the United States who (a) were honorably discharged from such service, or (b) have a qualifying condition, as defined in section three hundred fifty of the executive law, and received a discharge other than bad conduct or dishonorable from such service, or (c) are discharged LGBT veterans, as defined in section three hundred fifty of the executive law, and received a discharge other than bad conduct or dishonorable from such service, and who are entitled to hawk, vend, sell or peddle merchandise in the public right-of-way pursuant to sections thirty-two and thirty-five of the

1 general business law, shall be given first preference in any assignment
2 or vending locations or in the allocation of such locations.

3 § 44. Subparagraph (F) of paragraph 3 of subsection (e) of section
4 2104 of the insurance law, as amended by chapter 687 of the laws of
5 2003, is amended to read as follows:

6 (F) served as a member of the armed forces of the United States at any
7 time, and shall (i) have been discharged under conditions other than
8 dishonorable, or (ii) has a qualifying condition, as defined in section
9 three hundred fifty of the executive law, and has received a discharge
10 other than bad conduct or dishonorable from such service, or (iii) is a
11 discharged LGBT veteran, as defined in section three hundred fifty of
12 the executive law, and has received a discharge other than bad conduct
13 or dishonorable from such service, and who within three years prior to
14 his entry into the armed forces held a license as insurance broker for
15 similar lines, provided his application for such license is filed before
16 one year from the date of final discharge; or

17 § 45. Paragraph 2 of subsection (f) of section 2104 of the insurance
18 law is amended to read as follows:

19 (2) No license fee shall be required of any person who served as a
20 member of the armed forces of the United States at any time, and who (A)
21 shall have been discharged, under conditions other than dishonorable, or
22 (B) has a qualifying condition, as defined in section three hundred
23 fifty of the executive law, and has received a discharge other than bad
24 conduct or dishonorable from such service, or (C) is a discharged LGBT
25 veteran, as defined in section three hundred fifty of the executive law,
26 and has received a discharge other than bad conduct or dishonorable from
27 such service, in a current licensing period, for the duration of such
28 period.

29 § 46. Paragraph 11 of subsection (j) of section 2103 of the insurance
30 law, as added by chapter 769 of the laws of 1984, is amended to read as
31 follows:

32 (11) No license fee shall be required of any person who served as a
33 member of the armed forces of the United States at any time and who (A)
34 shall have been discharged therefrom, under conditions other than
35 dishonorable, or (B) has a qualifying condition, as defined in section
36 three hundred fifty of the executive law, and has received a discharge
37 other than bad conduct or dishonorable from such service, or (C) is a
38 discharged LGBT veteran, as defined in section three hundred fifty of
39 the executive law, and has received a discharge other than bad conduct
40 or dishonorable from such service, in a current licensing period, for
41 the duration of such period.

42 § 47. Paragraph 2 of subsection (i) of section 2108 of the insurance
43 law is amended to read as follows:

44 (2) No license fee shall be required of any person who served as a
45 member of the armed forces of the United States at any time and who (A)
46 shall have been discharged, under conditions other than dishonorable, or
47 (B) has a qualifying condition, as defined in section three hundred
48 fifty of the executive law, and has received a discharge other than bad
49 conduct or dishonorable from such service, or (C) is a discharged LGBT
50 veteran, as defined in section three hundred fifty of the executive law,
51 and has received a discharge other than bad conduct or dishonorable from
52 such service, in a current licensing period, for the duration of such
53 period.

54 § 48. Paragraph 10 of subsection (h) of section 2137 of the insurance
55 law, as added by chapter 499 of the laws of 2009, is amended to read as
56 follows:

(10) No license fee shall be required of any person who served as a member of the armed forces of the United States at any time and who (A) shall have been discharged therefrom, under conditions other than dishonorable, or (B) has a qualifying condition, as defined in section three hundred fifty of the executive law, and has received a discharge other than bad conduct or dishonorable from such service, or (C) is a discharged LGBT veteran, as defined in section three hundred fifty of the executive law, and has received a discharge other than bad conduct or dishonorable from such service, in a current licensing period, for the duration of such period.

§ 49. Paragraph 11 of subsection (i) of section 2139 of the insurance law, as added by section 14 of part V of chapter 57 of the laws of 2014, is amended to read as follows:

(11) No license fee shall be required of any person who served as a member of the armed forces of the United States at any time, and who (A) shall have been discharged therefrom under conditions other than dishonorable, or (B) has a qualifying condition, as defined in section three hundred fifty of the executive law, and has received a discharge other than bad conduct or dishonorable from such service, or (C) is a discharged LGBT veteran, as defined in section three hundred fifty of the executive law, and has received a discharge other than bad conduct or dishonorable from such service, in a current licensing period for the duration of such period.

§ 50. Section 466 of the judiciary law, as amended by chapter 455 of the laws of 1960, is amended to read as follows:

§ 466. Attorney's oath of office. Each person, admitted as prescribed in this chapter must, upon his or her admission, take the constitutional oath of office in open court, and subscribe the same in a roll or book, to be kept in the office of the clerk of the appellate division of the supreme court for that purpose.

Any person now in actual service in the armed forces of the United States or whose induction or enlistment therein is imminent, or within sixty days after ~~he~~ such person (1) has been honorably discharged, or (2) has received a discharge other than bad conduct or dishonorable from such service, if such person has a qualifying condition, as defined in section three hundred fifty of the executive law, or (3) has received a discharge other than bad conduct or dishonorable from such service, if such person is a discharged LGBT veteran, as defined in section three hundred fifty of the executive law, if the appellate division of the supreme court in the department in which such person resides is not in session, may subscribe and take the oath before a justice of that court, with the same force and effect as if it were taken in open court, except that in the first department the oath must be taken before the presiding justice or, in his or her absence, before the senior justice.

§ 51. Subdivision 3 of section 20 of the military law, as added by chapter 825 of the laws of 1950, is amended to read as follows:

3. Any person who has served as a commissioned or warrant officer in the organized militia or in the armed forces of the United States and (a) has been honorably discharged therefrom, or (b) has a qualifying condition, as defined in section three hundred fifty of the executive law, and has received a discharge other than bad conduct or dishonorable from such service, or (c) is a discharged LGBT veteran, as defined in section three hundred fifty of the executive law, and has received a discharge other than bad conduct or dishonorable from such service, may be commissioned and placed on the state reserve list in the highest

1 grade previously held by him after complying with such conditions as may
2 be prescribed by regulations issued pursuant to this chapter.

3 § 52. Subdivision 2 of section 238 of the military law, as amended by
4 chapter 302 of the laws of 1967, is amended to read as follows:

5 2. Any person, except members of the armed forces of the United
6 States, members of the organized militia of this or any other state,
7 personnel of the independent military organizations designated in
8 section two hundred forty of this article, members of associations whol-
9 ly composed of persons who (a) were honorably discharged from the armed
10 forces of the United States, or (b) have a qualifying condition, as
11 defined in section three hundred fifty of the executive law, and have
12 received a discharge other than bad conduct or dishonorable from the
13 armed forces of the United States, or (c) are discharged LGBT veterans,
14 as defined in section three hundred fifty of the executive law, and have
15 received a discharge other than bad conduct or dishonorable from the
16 armed forces of the United States, and members of associations wholly
17 composed of sons of veterans of any war of the United States, who shall
18 wear any uniform or any device, strap, knot or insignia of any design or
19 character used as a designation of grade, rank or office, such as are by
20 law or by regulation, duly promulgated, prescribed for the use of the
21 organized militia or similar thereto; or,

22 § 53. Paragraphs (b) and (c) of subdivision 1 of section 243 of the
23 military law, paragraph (b) as amended by chapter 248 of the laws of
24 2001 and paragraph (c) as added by chapter 420 of the laws of 1953, are
25 amended to read as follows:

26 (b) The term "military duty" shall mean military service in the mili-
27 tary, naval, aviation or marine service of the United States subsequent
28 to July first, nineteen hundred forty, or service under the selective
29 training and service act of nineteen hundred forty, or the national
30 guard and reserve officers mobilization act of nineteen hundred forty,
31 or any other act of congress supplementary or amendatory thereto, or any
32 similar act of congress hereafter enacted and irrespective of the fact
33 that such service was entered upon following a voluntary enlistment
34 therefor or was required under one of the foregoing acts of congress, or
35 service with the United States public health service as a commissioned
36 officer, or service with the American Red Cross while with the armed
37 forces of the United States on foreign service, or service with the
38 special services section of the armed forces of the United States on
39 foreign service, or service in the merchant marine which shall consist
40 of service as an officer or member of the crew on or in connection with
41 a vessel documented under the laws of the United States or a vessel
42 owned by, chartered to, or operated by or for the account or use of the
43 government of the United States, or service by one who was employed by
44 the War Shipping Administration or Office of Defense Transportation or
45 their agents as a merchant seaman documented by the United States Coast
46 Guard or Department of Commerce, or as a civil servant employed by the
47 United States Army Transport Service (later redesignated as the United
48 States Army Transportation Corps, Water Division) or the Naval Transpor-
49 tation Service; and who served satisfactorily as a crew member during
50 the period of armed conflict, December seventh, nineteen hundred forty-
51 one, to August fifteenth, nineteen hundred forty-five, aboard merchant
52 vessels in oceangoing, i.e., foreign, intercoastal, or coastwise service
53 as such terms are defined under federal law (46 USCA 10301 & 10501) and
54 further to include "near foreign" voyages between the United States and
55 Canada, Mexico, or the West Indies via ocean routes, or public vessels
56 in oceangoing service or foreign waters and who has received a Certif-

1 icate of Release or Discharge from Active Duty and a discharge certifi-
2 cate, or an Honorable Service Certificate/Report of Casualty, from the
3 Department of Defense, or who served as a United States civilian
4 employed by the American Field Service and served overseas under United
5 States Armies and United States Army Groups in world war II during the
6 period of armed conflict, December seventh, nineteen hundred forty-one
7 through May eighth, nineteen hundred forty-five, and who (i) was
8 discharged or released therefrom under honorable conditions, or (ii) has
9 a qualifying condition, as defined in section three hundred fifty of the
10 executive law, and has received a discharge other than bad conduct or
11 dishonorable from such service, or (iii) is a discharged LGBT veteran,
12 as defined in section three hundred fifty of the executive law, and has
13 received a discharge other than bad conduct or dishonorable from such
14 service, or who served as a United States civilian Flight Crew and
15 Aviation Ground Support Employee of Pan American World Airways or one of
16 its subsidiaries or its affiliates and served overseas as a result of
17 Pan American's contract with Air Transport Command or Naval Air Trans-
18 port Service during the period of armed conflict, December fourteenth,
19 nineteen hundred forty-one through August fourteenth, nineteen hundred
20 forty-five, and who (iv) was discharged or released therefrom under
21 honorable conditions, or (v) has a qualifying condition, as defined in
22 section three hundred fifty of the executive law, and has received a
23 discharge other than bad conduct or dishonorable from such service, or
24 (vi) is a discharged LGBT veteran, as defined in section three hundred
25 fifty of the executive law, and has received a discharge other than bad
26 conduct or dishonorable from such service; or service in police duty on
27 behalf of the United States government in a foreign country, if such
28 person is a police officer, as defined by section 1.20 of the criminal
29 procedure law, and if such police officer obtained the prior consent of
30 his or her public employer to absent himself or herself from his or her
31 position to engage in the performance of such service; or as an enrollee
32 in the United States maritime service on active duty and, to such extent
33 as may be prescribed by or under the laws of the United States, any
34 period awaiting assignment to such service and any period of education
35 or training for such service in any school or institution under the
36 jurisdiction of the United States government, but shall not include
37 temporary and intermittent gratuitous service in any reserve or auxilia-
38 ry force. It shall include time spent in reporting for and returning
39 from military duty and shall be deemed to commence when the public
40 employee leaves his position and to end when he is reinstated to his
41 position, provided such reinstatement is within ninety days after the
42 termination of military duty, as hereinafter defined. Notwithstanding
43 the foregoing provisions of this paragraph, the term "military duty"
44 shall not include any of the foregoing services entered upon voluntarily
45 on or after January first, nineteen hundred forty-seven and before June
46 twenty-fifth, nineteen hundred fifty; and, on or after July first, nine-
47 teen hundred seventy, the term "military duty" shall not include any
48 voluntary service in excess of four years performed after that date, or
49 the total of any voluntary services, additional or otherwise, in excess
50 of four years performed after that date, shall not exceed five years, if
51 the service in excess of four years is at the request and for the
52 convenience of the federal government, except if such voluntary service
53 is performed during a period of war, or national emergency declared by
54 the president.

55 (c) The term "termination of military duty" shall mean the date of a
56 certificate of honorable discharge or a certificate of completion of

1 training and service as set forth in the selective training and service
2 act of nineteen hundred forty, and the national guard and reserve offi-
3 cers mobilization act of nineteen hundred forty or, or a certificate of
4 release or discharge from active duty where an employee (i) has a quali-
5 ifying condition, as defined in section three hundred fifty of the execu-
6 tive law, and has received a discharge other than bad conduct or
7 dishonorable from such service, or (ii) is a discharged LGBT veteran, as
8 defined in section three hundred fifty of the executive law, and has
9 received a discharge other than bad conduct or dishonorable from such
10 service, or in the event of the incurrence of a temporary disability
11 arising out of and in the course of such military duty, the date of
12 termination of such disability. The existence and termination of such
13 temporary disability, in the case of a public employee occupying a posi-
14 tion in the classified civil service or of a person on an eligible list
15 for a position in such service, shall be determined by the civil service
16 commission having jurisdiction over such position and, in the case of a
17 public employee occupying a position not in the classified civil
18 service, shall be determined by the officer or body having the power of
19 appointment.

20 § 54. Subparagraphs 1 and 2 of paragraph (a) of subdivision 4-b of
21 section 243 of the military law, subparagraph 1 as amended by chapter
22 739 of the laws of 1987 and subparagraph 2 as amended by chapter 467 of
23 the laws of 1991, are amended to read as follows:

24 (1) "New York city veteran of world war II". Any member of the New
25 York city employees' retirement system in city-service who, after his
26 last membership in such system began, served as a member of the armed
27 forces of the United States during the period beginning on December
28 seventh, nineteen hundred forty-one and ending on December thirty-first,
29 nineteen hundred forty-six, and (i) was honorably discharged or released
30 under honorable circumstances from such service, or (ii) has a qualify-
31 ing condition, as defined in section three hundred fifty of the execu-
32 tive law, and has received a discharge other than bad conduct or
33 dishonorable from such service, or (iii) is a discharged LGBT veteran,
34 as defined in section three hundred fifty of the executive law, and has
35 received a discharge other than bad conduct or dishonorable from such
36 service.

37 (2) "New York city veteran of the Korean conflict." Any member of the
38 New York city employees' retirement system in city-service who, after
39 his last membership in such system began, served as a member of the
40 armed forces of the United States during the period beginning on the
41 twenty-seventh of June, nineteen hundred fifty and ending on the thir-
42 ty-first day of January, nineteen hundred fifty-five, and (i) was honor-
43 ably discharged or released under honorable circumstances from such
44 service, or (ii) has a qualifying condition, as defined in section three
45 hundred fifty of the executive law, and has received a discharge other
46 than bad conduct or dishonorable from such service, or (iii) is a
47 discharged LGBT veteran, as defined in section three hundred fifty of
48 the executive law, and has received a discharge other than bad conduct
49 or dishonorable from such service.

50 § 55. Section 245 of the military law, as amended by chapter 713 of
51 the laws of 1964, is amended to read as follows:

52 § 245. Retirement allowances of certain war veterans. Any member of a
53 teachers' retirement system to which the city of New York is required by
54 law to make contributions on account of such member who (i) is an honor-
55 ably discharged member of any branch of the armed forces of the United
56 States, or (ii) has a qualifying condition, as defined in section three

1 hundred fifty of the executive law, and has received a discharge other
2 than bad conduct or dishonorable, or (iii) is a discharged LGBT veteran,
3 as defined in section three hundred fifty of the executive law, and has
4 received a discharge other than bad conduct or dishonorable, having
5 served as such during the time of war and who has attained the age of
6 fifty years, may retire upon his own request upon written application to
7 the board setting forth at what time not less than thirty days subse-
8 quent to the execution and filing thereof he desires to be retired,
9 provided that such member at the time so specified for his retirement
10 shall have completed at least twenty-five years of allowable service.
11 Upon retirement such member shall receive an annuity of equivalent actu-
12 arial value to his accumulated deductions, and, in addition, a pension
13 beginning immediately, having a value equal to the present value of the
14 pension that would have become payable had he continued at his current
15 salary to the age at which he would have first become eligible for
16 service retirement, provided, however, that the said member on making
17 application for retirement shall pay into the retirement fund a sum of
18 money which calculated on an actuarial basis, together with his prior
19 contributions and other accumulations in said fund then to his credit,
20 shall be sufficient to entitle the said member to the same annuity and
21 pension that he would have received had he remained in the service of
22 the city until he had attained the age at which he otherwise would have
23 first become eligible for service retirement.

24 Notwithstanding any other provision of this section or of any general,
25 special or local law or code to the contrary, a member of any such
26 teachers' retirement system who (i) is separated or discharged under
27 honorable conditions from any branch of the armed forces of the United
28 States, or (ii) has a qualifying condition, as defined in section three
29 hundred fifty of the executive law, and has received a discharge other
30 than bad conduct or dishonorable, or (iii) is a discharged LGBT veteran,
31 as defined in section three hundred fifty of the executive law, and has
32 received a discharge other than bad conduct or dishonorable, having
33 served as such during the time of war and who has attained the age of
34 fifty years, may retire upon his own request upon written application to
35 the board setting forth at what time, not less than thirty days subse-
36 quent to the execution and filing thereof, he desires to be retired,
37 provided that such member at that time so specified for his retirement
38 shall have completed at least twenty-five years of allowable service.
39 Upon reaching his previously selected minimum retirement age, such
40 member shall receive an annuity of equivalent actuarial value, at that
41 time, to his accumulated deductions, and, in addition, a pension based
42 upon his credited years of allowable service, plus the pension-for-in-
43 creased-take-home-pay, if any. Should such member die before reaching
44 his retirement age, then any beneficiary under a selected option shall
45 be eligible for benefits under such option at the date upon which the
46 member would have reached his selected retirement age.

47 § 56. Section 249 of the military law, as added by chapter 420 of the
48 laws of 1953, is amended to read as follows:

49 § 249. State and municipal officers and employees granted leaves of
50 absence on July fourth in certain cases. Each officer and employee of
51 the state or of a municipal corporation or of any other political subdi-
52 vision thereof who was a member of the national guard or naval militia
53 or a member of the reserve corps at a time when the United States was
54 not at war and who (i) has been honorably discharged therefrom, or (ii)
55 has a qualifying condition, as defined in section three hundred fifty of
56 the executive law, and has received a discharge other than bad conduct

1 or dishonorable from such service, or (iii) is a discharged LGBT veter-
2 an, as defined in section three hundred fifty of the executive law, and
3 has received a discharge other than bad conduct or dishonorable from
4 such service, shall, in so far as practicable, be entitled to absent
5 himself from his duties or service, with pay, on July fourth of each
6 year. Notwithstanding the provisions of any general, special or local
7 law or the provisions of any city charter, no such officer or employee
8 shall be subjected by any person whatever directly or indirectly by
9 reason of such absence to any loss or diminution of vacation or holiday
10 privilege or be prejudiced by reason of such absence with reference to
11 promotion or continuance in office or employment or to reappointment to
12 office or to re-employment.

13 § 57. Subdivision 3 of section 1271 of the private housing finance
14 law, as added by section 1 of part Y of chapter 56 of the laws of 2018,
15 is amended to read as follows:

16 3. "Veteran" shall mean a resident of this state who (a) has served in
17 the United States army, navy, marine corps, air force or coast guard or
18 (b) has served on active duty or ordered to active duty as defined in 10
19 USC 101 (d)(1) as a member of the national guard or other reserve compo-
20 nent of the armed forces of the United States or (c) has served on
21 active duty or ordered to active duty for the state, as a member of the
22 state organized militia as defined in subdivision nine of section one of
23 the military law, and has been released from such service documented by
24 an honorable or general discharge, or has a qualifying condition, as
25 defined in section three hundred fifty of the executive law, and has
26 received a discharge other than bad conduct or dishonorable from such
27 service, or is a discharged LGBT veteran, as defined in section three
28 hundred fifty of the executive law, and has received a discharge other
29 than bad conduct or dishonorable from such service.

30 § 58. Subdivision 8-a of section 2165 of the public health law, as
31 added by chapter 542 of the laws of 1998, is amended to read as follows:

32 8-a. Proof of ~~[honorable]~~ discharge from the armed services within ten
33 years from the date of application to an institution shall qualify as a
34 certificate enabling a student to attend the institution pending actual
35 receipt of immunization records from the armed services. If while await-
36 ing the receipt of actual immunization records a health risk shall arise
37 at an institution, a student presenting a certificate under the terms of
38 this subdivision shall be removed from the institution if proper immuni-
39 zation cannot be proved or otherwise rectified.

40 § 59. The opening paragraph and paragraph (d) of subdivision 1 of
41 section 2632 of the public health law, as amended by chapter 414 of the
42 laws of 2015, are amended to read as follows:

43 Every veteran of the armed forces of the United States, who (i) (A)
44 was separated or discharged under honorable conditions after serving on
45 active duty therein for a period of not less than thirty days, or (B)
46 has a qualifying condition, as defined in section three hundred fifty of
47 the executive law, and has received a discharge other than bad conduct
48 or dishonorable after serving on active duty therein for a period of not
49 less than thirty days, or (C) is a discharged LGBT veteran, as defined
50 in section three hundred fifty of the executive law, and has received a
51 discharge other than bad conduct or dishonorable after serving on active
52 duty therein for a period of not less than thirty days, or (ii) (A) was
53 separated or discharged under honorable conditions after serving on
54 active duty therein for a period of not less than thirty days or (B) has
55 a qualifying condition, as defined in section three hundred fifty of the
56 executive law, and has received a discharge other than bad conduct or

dishonorable after serving on active duty therein for a period of not less than thirty days, or (C) is a discharged LGBT veteran, as defined in section three hundred fifty of the executive law, and has received a discharge other than bad conduct or dishonorable after serving on active duty therein for a period of not less than thirty days, and who was a recipient of the armed forces expeditionary medal, navy expeditionary medal or marine corps expeditionary medal for participation in operations in Lebanon from June first, nineteen hundred eighty-three to December first, nineteen hundred eighty-seven, in Grenada from October twenty-third, nineteen hundred eighty-three to November twenty-first, nineteen hundred eighty-three, or in Panama from December twentieth, nineteen hundred eighty-nine to January thirty-first, nineteen hundred ninety, or in Bosnia and Herzegovina from November twenty-first, nineteen hundred ninety-five to November first, two thousand seven, or was a recipient of the Kosovo campaign medal or (iii) (A) was separated or discharged under honorable conditions after serving on active duty therein for a period of not less than thirty days or (B) has a qualifying condition, as defined in section three hundred fifty of the executive law, and has received a discharge other than bad conduct or dishonorable after serving on active duty therein for a period of not less than thirty days, or (C) is a discharged LGBT veteran, as defined in section three hundred fifty of the executive law, and has received a discharge other than bad conduct or dishonorable after serving on active duty therein for a period of not less than thirty days, and who served during the period of actual hostilities of either

(d) world war II between December seventh, nineteen hundred forty-one and December thirty-first, nineteen hundred forty-six, both inclusive, or who was employed by the War Shipping Administration or Office of Defense Transportation or their agents as a merchant seaman documented by the United States Coast Guard or Department of Commerce, or as a civil servant employed by the United States Army Transport Service (later redesignated as the United States Army Transportation Corps, Water Division) or the Naval Transportation Service; and who served satisfactorily as a crew member during the period of armed conflict, December seventh, nineteen hundred forty-one, to August fifteenth, nineteen hundred forty-five, aboard merchant vessels in oceangoing, i.e., foreign, intercoastal, or coastwise service as such terms are defined under federal law (46 USCA 10301 & 10501) and further to include "near foreign" voyages between the United States and Canada, Mexico, or the West Indies via ocean routes, or public vessels in oceangoing service or foreign waters and who has received a Certificate of Release or Discharge from Active Duty and a discharge certificate, or an Honorable Service Certificate/Report of Casualty, from the Department of Defense, or who served as a United States civilian employed by the American Field Service and served overseas under United States Armies and United States Army Groups in world war II during the period of armed conflict, December seventh, nineteen hundred forty-one through May eighth, nineteen hundred forty-five, and who (i) was discharged or released therefrom under honorable conditions, or (ii) has a qualifying condition, as defined in section three hundred fifty of the executive law, and has received a discharge other than bad conduct or dishonorable from such service, or (iii) is a discharged LGBT veteran, as defined in section three hundred fifty of the executive law, and has received a discharge other than bad conduct or dishonorable from such service, or who served as a United States civilian Flight Crew and Aviation Ground Support Employee of Pan American World Airways or one of its subsidiaries or its

1 affiliates and served overseas as a result of Pan American's contract
2 with Air Transport Command or Naval Air Transport Service during the
3 period of armed conflict, December fourteenth, nineteen hundred forty-
4 one through August fourteenth, nineteen hundred forty-five, and who (iv)
5 was discharged or released therefrom under honorable conditions, or (v)
6 has a qualifying condition, as defined in section three hundred fifty of
7 the executive law, and has received a discharge other than bad conduct
8 or dishonorable from such service, or (vi) is a discharged LGBT veteran,
9 as defined in section three hundred fifty of the executive law, and has
10 received a discharge other than bad conduct or dishonorable from such
11 service; or

12 § 60. Subdivision 3 of section 3422 of the public health law, as added
13 by chapter 854 of the laws of 1971, is amended to read as follows:

14 3. A candidate who fails to attain a passing grade on his licensing
15 examination is entitled to a maximum of three re-examinations; provided,
16 however, that if such candidate fails to attain a passing grade within
17 three years after completion of his training, he must requalify in
18 accordance with the provisions of the public health law and rules and
19 regulations promulgated thereunder existing and in force as of the date
20 of subsequent application for licensing examination, except that a
21 satisfactorily completed required course of study need not be recom-
22 pleted. A candidate inducted into the armed forces of the United States
23 during or after completion of training may (a) after honorable discharge
24 or (b) after a discharge other than bad conduct or dishonorable where
25 the candidate (i) has a qualifying condition, as defined in section
26 three hundred fifty of the executive law, or (ii) is a discharged LGBT
27 veteran, as defined in section three hundred fifty of the executive law,
28 and upon proper application as required by the department be eligible
29 for an exemption with respect to time served in such service.

30 § 61. Subparagraph 2 of paragraph b of subdivision 1 of section 156 of
31 the public housing law, as amended by chapter 639 of the laws of 1968,
32 is amended to read as follows:

33 (2) (i) have been thereafter discharged or released therefrom under
34 conditions other than dishonorable, or (ii) have a qualifying condition,
35 as defined in section three hundred fifty of the executive law, and have
36 received a discharge other than bad conduct or dishonorable from such
37 service, or (iii) are discharged LGBT veterans, as defined in section
38 three hundred fifty of the executive law, and have received a discharge
39 other than bad conduct or dishonorable from such service, or (iv) died
40 in such service, not more than five years prior to the time of applica-
41 tion for admission to such project, and

42 § 62. Section 63 of the public officers law, as amended by chapter 179
43 of the laws of 2006, is amended to read as follows:

44 § 63. Leave of absence for veterans on Memorial day and Veterans' day.
45 It shall be the duty of the head of every public department and of every
46 court of the state of New York, of every superintendent or foreman on
47 the public works of said state, of the county officers of the several
48 counties of said state, of the town officers of the various towns in
49 this state, of the fire district officers of the various fire districts
50 in this state, and of the head of every department, bureau and office in
51 the government of the various cities and villages in this state, and the
52 officers of any public benefit corporation or any public authority of
53 this state, or of any public benefit corporation or public authority of
54 any county or subdivision of this state, to give leave of absence with
55 pay for twenty-four hours on the day prescribed by law as a public holi-
56 day for the observance of Memorial day and on the eleventh day of Novem-

ber, known as Veterans' day, to every person in the service of the state, the county, the town, the fire district, the city or village, the public benefit corporation or public authority of this state, or any public benefit corporation or public authority of any county or subdivision of this state, as the case may be, (i) who served on active duty in the armed forces of the United States during world war I or world war II, or who was employed by the War Shipping Administration or Office of Defense Transportation or their agents as a merchant seaman documented by the United States Coast Guard or Department of Commerce, or as a civil servant employed by the United States Army Transport Service (later redesignated as the United States Army Transportation Corps, Water Division) or the Naval Transportation Service; and who served satisfactorily as a crew member during the period of armed conflict, December seventh, nineteen hundred forty-one, to August fifteenth, nineteen hundred forty-five, aboard merchant vessels in oceangoing, i.e., foreign, intercoastal, or coastwise service as such terms are defined under federal law (46 USCA 10301 & 10501) and further to include "near foreign" voyages between the United States and Canada, Mexico, or the West Indies via ocean routes, or public vessels in oceangoing service or foreign waters and who has received a Certificate of Release or Discharge from Active Duty and a discharge certificate, or an Honorable Service Certificate/Report of Casualty, from the Department of Defense, or who served as a United States civilian employed by the American Field Service and served overseas under United States Armies and United States Army Groups in world war II during the period of armed conflict, December seventh, nineteen hundred forty-one through May eighth, nineteen hundred forty-five, and who (a) was discharged or released therefrom under honorable conditions, or (b) has a qualifying condition, as defined in section three hundred fifty of the executive law, and has received a discharge other than bad conduct or dishonorable from such service, or (c) is a discharged LGBT veteran, as defined in section three hundred fifty of the executive law, and has received a discharge other than bad conduct or dishonorable from such service or who served as a United States civilian Flight Crew and Aviation Ground Support Employee of Pan American World Airways or one of its subsidiaries or its affiliates and served overseas as a result of Pan American's contract with Air Transport Command or Naval Air Transport Service during the period of armed conflict, December fourteenth, nineteen hundred forty-one through August fourteenth, nineteen hundred forty-five, and who (d) was discharged or released therefrom under honorable conditions, or (e) has a qualifying condition, as defined in section three hundred fifty of the executive law, and has received a discharge other than bad conduct or dishonorable from such service, or (f) is a discharged LGBT veteran, as defined in section three hundred fifty of the executive law, and has received a discharge other than bad conduct or dishonorable from such service or during the period of the Korean conflict at any time between the dates of June twenty-seventh, nineteen hundred fifty and January thirty-first, nineteen hundred fifty-five, or during the period of the Vietnam conflict from the twenty-eighth day of February, nineteen hundred sixty-one to the seventh day of May, nineteen hundred seventy-five, or (ii) who served on active duty in the armed forces of the United States and who was a recipient of the armed forces expeditionary medal, navy expeditionary medal or marine corps expeditionary medal for participation in operations in Lebanon from June first, nineteen hundred eighty-three to December first, nineteen hundred eighty-seven, in Grenada from October twenty-third, nineteen hundred eighty-three to November

1 twenty-first, nineteen hundred eighty-three, or in Panama from December
2 twentieth, nineteen hundred eighty-nine to January thirty-first, nine-
3 teen hundred ninety, or (iii) who served in the armed forces of a
4 foreign country allied with the United States during world war I or
5 world war II, or during the period of the Korean conflict at any time
6 between June twenty-seventh, nineteen hundred fifty and January thirty-
7 first, nineteen hundred fifty-five, or during the period of the Vietnam
8 conflict from the twenty-eighth day of February, nineteen hundred
9 sixty-one to the seventh day of May, nineteen hundred seventy-five, or
10 during the period of the Persian Gulf conflict from the second day of
11 August, nineteen hundred ninety to the end of such conflict, or who
12 served on active duty in the army or navy or marine corps or air force
13 or coast guard of the United States, and who (a) was honorably
14 discharged or separated from such service under honorable conditions, or
15 (b) has a qualifying condition, as defined in section three hundred
16 fifty of the executive law, and has received a discharge other than bad
17 conduct or dishonorable from such service, or (c) is a discharged LGBT
18 veteran, as defined in section three hundred fifty of the executive law,
19 and has received a discharge other than bad conduct or dishonorable from
20 such service except where such action would endanger the public safety
21 or the safety or health of persons cared for by the state, in which
22 event such persons shall be entitled to leave of absence with pay on
23 another day in lieu thereof. All such persons who are compensated on a
24 per diem, hourly, semi-monthly or monthly basis, with or without mainte-
25 nance, shall also be entitled to leave of absence with pay under the
26 provisions of this section and no deduction in vacation allowance or
27 budgetary allowable number of working days shall be made in lieu there-
28 of. A refusal to give such leave of absence to one entitled thereto
29 shall be neglect of duty.

30 § 63. Subdivision 2 of section 458 of the real property tax law, as
31 amended by chapter 63 of the laws of 1976, is amended to read as
32 follows:

33 2. Real property purchased with moneys collected by popular
34 subscription in partial recognition of extraordinary services rendered
35 by any [~~honorably discharged~~] veteran of world war one, world war two,
36 or of the hostilities which commenced June twenty-seventh, nineteen
37 hundred fifty, who (a) was honorably discharged from such service, or
38 (b) has a qualifying condition, as defined in section three hundred
39 fifty of the executive law, and has received a discharge other than bad
40 conduct or dishonorable from such service, or (c) is a discharged LGBT
41 veteran, as defined in section three hundred fifty of the executive law,
42 and has received a discharge other than bad conduct or dishonorable from
43 such service, and who sustained permanent disability while on military
44 duty, either total or partial, and owned by the person who sustained
45 such injuries, or by his or her spouse or unremarried surviving spouse,
46 or dependent father or mother, is subject to taxation as herein
47 provided. Such property shall be assessed in the same manner as other
48 real property in the tax district. At the meeting of the assessors to
49 hear complaints concerning the assessments, a verified application for
50 the exemption of such real property from taxation may be presented to
51 them by or on behalf of the owner thereof, which application must show
52 the facts on which the exemption is claimed, including the amount of
53 moneys so raised and used in or toward the purchase of such property. No
54 exemption on account of any such gift shall be allowed in excess of five
55 thousand dollars. The application for exemption shall be presented and
56 action thereon taken in the manner provided by subdivision one of this

1 section. If no application for exemption be granted, the property shall
2 be subject to taxation for all purposes. The provisions herein, relating
3 to the assessment and exemption of property purchased with moneys raised
4 by popular subscription, apply and shall be enforced in each municipal
5 corporation authorized to levy taxes.

6 § 64. Subdivision 4-a of section 458 of the real property tax law, as
7 amended by chapter 616 of the laws of 1995, is amended to read as
8 follows:

9 4-a. For the purposes of this section, the term "military or naval
10 services" shall be deemed to also include service: (a) by a person who
11 was employed by the War Shipping Administration or Office of Defense
12 Transportation or their agents as a merchant seaman documented by the
13 United States Coast Guard or Department of Commerce, or as a civil serv-
14 ant employed by the United States Army Transport Service (later redesign-
15 nated as the United States Army Transportation Corps, Water Division) or
16 the Naval Transportation Service; and who served satisfactorily as a
17 crew member during the period of armed conflict, December seventh, nine-
18 teen hundred forty-one, to August fifteenth, nineteen hundred forty-
19 five, aboard merchant vessels in oceangoing, i.e., foreign, inter-
20 coastal, or coastwise service as such terms are defined under federal
21 law (46 USCA 10301 & 10501) and further to include "near foreign"
22 voyages between the United States and Canada, Mexico, or the West Indies
23 via ocean routes, or public vessels in oceangoing service or foreign
24 waters and who has received a Certificate of Release or Discharge from
25 Active Duty and a discharge certificate, or an Honorable Service
26 Certificate/Report of Casualty, from the department of defense; (b)
27 service by a United States civilian employed by the American Field
28 Service who served overseas under United States Armies and United States
29 Army Groups in world war II during the period of armed conflict, Decem-
30 ber seventh, nineteen hundred forty-one through May eighth, nineteen
31 hundred forty-five, and who (i) was discharged or released therefrom
32 under honorable conditions, or (ii) has a qualifying condition, as
33 defined in section three hundred fifty of the executive law, and has
34 received a discharge other than bad conduct or dishonorable from such
35 service, or (iii) is a discharged LGBT veteran, as defined in section
36 three hundred fifty of the executive law, and has received a discharge
37 other than bad conduct or dishonorable from such service; or (c) service
38 by a United States civilian Flight Crew and Aviation Ground Support
39 Employee of Pan American World Airways or one of its subsidiaries or its
40 affiliates who served overseas as a result of Pan American's contract
41 with Air Transport Command or Naval Air Transport Service during the
42 period of armed conflict, December fourteenth, nineteen hundred forty-
43 one through August fourteenth, nineteen hundred forty-five, and who (i)
44 was discharged or released therefrom under honorable conditions, or (ii)
45 has a qualifying condition, as defined in section three hundred fifty of
46 the executive law, and has received a discharge other than bad conduct
47 or dishonorable from such service, or (iii) is a discharged LGBT veter-
48 an, as defined in section three hundred fifty of the executive law, and
49 has received a discharge other than bad conduct or dishonorable from
50 such service.

51 § 65. Paragraph (e) of subdivision 1 of section 458-a of the real
52 property tax law, as amended by chapter 384 of the laws of 2008, is
53 amended to read as follows:

54 (e) "Veteran" means a person (i) who served in the active military,
55 naval, or air service during a period of war, or who was a recipient of
56 the armed forces expeditionary medal, navy expeditionary medal, marine

corps expeditionary medal, or global war on terrorism expeditionary medal, and who (1) was discharged or released therefrom under honorable conditions, or (2) has a qualifying condition, as defined in section three hundred fifty of the executive law, and has received a discharge other than bad conduct or dishonorable from such service, or (3) is a discharged LGBT veteran, as defined in section three hundred fifty of the executive law, and has received a discharge other than bad conduct or dishonorable from such service, (ii) who was employed by the War Shipping Administration or Office of Defense Transportation or their agents as a merchant seaman documented by the United States Coast Guard or Department of Commerce, or as a civil servant employed by the United States Army Transport Service (later redesignated as the United States Army Transportation Corps, Water Division) or the Naval Transportation Service; and who served satisfactorily as a crew member during the period of armed conflict, December seventh, nineteen hundred forty-one, to August fifteenth, nineteen hundred forty-five, aboard merchant vessels in oceangoing, i.e., foreign, intercoastal, or coastwise service as such terms are defined under federal law (46 USCA 10301 & 10501) and further to include "near foreign" voyages between the United States and Canada, Mexico, or the West Indies via ocean routes, or public vessels in ocean-going service or foreign waters and who has received a Certificate of Release or Discharge from Active Duty and a discharge certificate, or an Honorable Service Certificate/Report of Casualty, from the department of defense, (iii) who served as a United States civilian employed by the American Field Service and served overseas under United States Armies and United States Army Groups in world war II during the period of armed conflict, December seventh, nineteen hundred forty-one through May eighth, nineteen hundred forty-five, and who (1) was discharged or released therefrom under honorable conditions, or (2) has a qualifying condition, as defined in section three hundred fifty of the executive law, and has received a discharge other than bad conduct or dishonorable from such service, or (3) is a discharged LGBT veteran, as defined in section three hundred fifty of the executive law, and has received a discharge other than bad conduct or dishonorable from such service, (iv) who served as a United States civilian Flight Crew and Aviation Ground Support Employee of Pan American World Airways or one of its subsidiaries or its affiliates and served overseas as a result of Pan American's contract with Air Transport Command or Naval Air Transport Service during the period of armed conflict, December fourteenth, nineteen hundred forty-one through August fourteenth, nineteen hundred forty-five, and who (1) was discharged or released therefrom under honorable conditions, or (2) has a qualifying condition, as defined in section three hundred fifty of the executive law, and has received a discharge other than bad conduct or dishonorable from such service, or (3) is a discharged LGBT veteran, as defined in section three hundred fifty of the executive law, and has received a discharge other than bad conduct or dishonorable from such service, or (v) notwithstanding any other provision of law to the contrary, who are members of the reserve components of the armed forces of the United States who (1) received an honorable discharge or release therefrom under honorable conditions, or (2) has a qualifying condition, as defined in section three hundred fifty of the executive law, and has received a discharge other than bad conduct or dishonorable from such service, or (3) is a discharged LGBT veteran, as defined in section three hundred fifty of the executive law, and has received a discharge other than bad conduct or dishonorable from such service, but are still members of the reserve components of the

1 armed forces of the United States provided that such members meet all
2 other qualifications under the provisions of this section.

3 § 66. Subdivision 10 of section 458-a of the real property tax law, as
4 amended by chapter 141 of the laws of 2017, is amended to read as
5 follows:

6 10. A county, city, town, village or school district may adopt a local
7 law or resolution to include those military personnel who served in the
8 Reserve component of the United States Armed Forces that were deemed on
9 active duty under Executive Order 11519 signed March twenty-third, nine-
10 teen hundred seventy, 35 Federal Register 5003, dated March twenty-
11 fourth, nineteen hundred seventy and later designated by the United
12 States Department of Defense as Operation Graphic Hand, if such member
13 (1) was discharged or released therefrom under honorable conditions, or
14 (2) has a qualifying condition, as defined in section three hundred
15 fifty of the executive law, and has received a discharge other than bad
16 conduct or dishonorable from such service, or (3) is a discharged LGBT
17 veteran, as defined in section three hundred fifty of the executive law,
18 and has received a discharge other than bad conduct or dishonorable from
19 such service, provided that such veteran meets all other qualifications
20 of this section.

21 § 67. Paragraph (a) of subdivision 1 of section 458-b of the real
22 property tax law, as amended by chapter 6 of the laws of 2008, is
23 amended to read as follows:

24 (a) "Cold War veteran" means a person, male or female, who served on
25 active duty in the United States armed forces, during the time period
26 from September second, nineteen hundred forty-five to December twenty-
27 sixth, nineteen hundred ninety-one, and (i) was discharged or released
28 therefrom under honorable conditions, or (ii) has a qualifying condi-
29 tion, as defined in section three hundred fifty of the executive law,
30 and has received a discharge other than bad conduct or dishonorable from
31 such service, or (iii) is a discharged LGBT veteran, as defined in
32 section three hundred fifty of the executive law, and has received a
33 discharge other than bad conduct or dishonorable from such service.

34 § 68. Subparagraph (v) of paragraph (a) of subdivision 1 of section
35 122 of the social services law, as amended by chapter 214 of the laws of
36 1998, is amended to read as follows:

37 (v) any alien lawfully residing in the state who is on active duty in
38 the armed forces (other than active duty for training) or who (1) has
39 received an honorable discharge (and not on account of alienage) from
40 the armed forces, or (2) has a qualifying condition, as defined in
41 section three hundred fifty of the executive law, and has received a
42 discharge other than bad conduct or dishonorable (and not on account of
43 alienage) from the armed forces, or (3) is a discharged LGBT veteran, as
44 defined in section three hundred fifty of the executive law, and has
45 received a discharge other than bad conduct or dishonorable (and not on
46 account of alienage) from the armed forces, or the spouse, unremarried
47 surviving spouse or unmarried dependent child of any such alien, if such
48 alien, spouse or dependent child is a qualified alien as defined in
49 section 431 of the federal personal responsibility and work opportunity
50 reconciliation act of 1996 (8 U.S. Code 1641), as amended;

51 § 69. Subdivision 1 of section 168 of the social services law, as
52 amended by chapter 467 of the laws of 1991, is amended to read as
53 follows:

54 1. Veteran means a person, male or female, who has served in the armed
55 forces of the United States in time of war, or who was a recipient of
56 the armed forces expeditionary medal, navy expeditionary medal or marine

corps expeditionary medal for participation in operations in Lebanon from June first, nineteen hundred eighty-three to December first, nineteen hundred eighty-seven, in Grenada from October twenty-third, nineteen hundred eighty-three to November twenty-first, nineteen hundred eighty-nine to January thirty-first, nineteen hundred ninety, and who (1) has been honorably discharged or released under honorable circumstances from such service or furloughed to the reserve, or (2) has a qualifying condition, as defined in section three hundred fifty of the executive law, and has received a discharge other than bad conduct or dishonorable from such service, or (3) is a discharged LGBT veteran, as defined in section three hundred fifty of the executive law, and has received a discharge other than bad conduct or dishonorable from such service.

§ 70. Paragraph 5 of subdivision 2 of section 168 of the social services law, as amended by chapter 616 of the laws of 1995, is amended to read as follows:

(5) World war II; from the seventh day of December, nineteen hundred forty-one to and including the thirty-first day of December, nineteen hundred forty-six, or who was employed by the War Shipping Administration or Office of Defense Transportation or their agents as a merchant seaman documented by the United States Coast Guard or Department of Commerce, or as a civil servant employed by the United States Army Transport Service (later redesignated as the United States Army Transportation Corps, Water Division) or the Naval Transportation Service; and who served satisfactorily as a crew member during the period of armed conflict, December seventh, nineteen hundred forty-one, to August fifteenth, nineteen hundred forty-five, aboard merchant vessels in oceangoing, i.e., foreign, intercoastal, or coastwise service as such terms are defined under federal law (46 USCA 10301 & 10501) and further to include "near foreign" voyages between the United States and Canada, Mexico, or the West Indies via ocean routes, or public vessels in oceangoing service or foreign waters and who has received a Certificate of Release or Discharge from Active Duty and a discharge certificate, or an Honorable Service Certificate/Report of Casualty, from the Department of Defense or who served as a United States civilian employed by the American Field Service and served overseas under United States Armies and United States Army Groups in world war II during the period of armed conflict, December seventh, nineteen hundred forty-one through May eighth, nineteen hundred forty-five, and who (i) was discharged or released therefrom under honorable conditions, or (ii) has a qualifying condition, as defined in section three hundred fifty of the executive law, and has received a discharge other than bad conduct or dishonorable from such service, or (iii) is a discharged LGBT veteran, as defined in section three hundred fifty of the executive law, and has received a discharge other than bad conduct or dishonorable from such service, or who served as a United States civilian Flight Crew and Aviation Ground Support Employee of Pan American World Airways or one of its subsidiaries or its affiliates and served overseas as a result of Pan American's contract with Air Transport Command or Naval Air Transport Service during the period of armed conflict, December fourteenth, nineteen hundred forty-one through August fourteenth, nineteen hundred forty-five, and who (iv) was discharged or released therefrom under honorable conditions, or (v) has a qualifying condition, as defined in section three hundred fifty of the executive law, and has received a discharge other than bad conduct or dishonorable from such service, or (vi) is a

1 discharged LGBT veteran, as defined in section three hundred fifty of
2 the executive law, and has received a discharge other than bad conduct
3 or dishonorable from such service.

4 § 71. Subparagraph 1 of paragraph (b) of subdivision 29 of section
5 210-B of the tax law, as amended by section 1 of part Q of chapter 59 of
6 the laws of 2018, is amended to read as follows:

7 (1) who served on active duty in the United States army, navy, air
8 force, marine corps, coast guard or the reserves thereof, or who served
9 in active military service of the United States as a member of the army
10 national guard, air national guard, New York guard or New York naval
11 militia; who (i) was released from active duty by general or honorable
12 discharge after September eleventh, two thousand one, or (ii) has a
13 qualifying condition, as defined in section three hundred fifty of the
14 executive law, and has received a discharge other than bad conduct or
15 dishonorable from such service after September eleventh, two thousand
16 one, or (iii) is a discharged LGBT veteran, as defined in section three
17 hundred fifty of the executive law, and has received a discharge other
18 than bad conduct or dishonorable from such service after September elev-
19 enth, two thousand one;

20 § 72. Subparagraph (A) of paragraph 2 of subsection (a-2) of section
21 606 of the tax law, as amended by section 2 of part Q of chapter 59 of
22 the laws of 2018, is amended to read as follows:

23 (A) who served on active duty in the United States army, navy, air
24 force, marine corps, coast guard or the reserves thereof, or who served
25 in active military service of the United States as a member of the army
26 national guard, air national guard, New York guard or New York naval
27 militia; who (i) was released from active duty by general or honorable
28 discharge after September eleventh, two thousand one, or (ii) has a
29 qualifying condition, as defined in section three hundred fifty of the
30 executive law, and has received a discharge other than bad conduct or
31 dishonorable from such service after September eleventh, two thousand
32 one, or (iii) is a discharged LGBT veteran, as defined in section three
33 hundred fifty of the executive law, and has received a discharge other
34 than bad conduct or dishonorable from such service after September elev-
35 enth, two thousand one;

36 § 73. Subparagraph (A) of paragraph 2 of subsection (g-1) of section
37 1511 of the tax law, as amended by section 3 of part Q of chapter 59 of
38 the laws of 2018, is amended to read as follows:

39 (A) who served on active duty in the United States army, navy, air
40 force, marine corps, coast guard or the reserves thereof, or who served
41 in active military service of the United States as a member of the army
42 national guard, air national guard, New York guard or New York naval
43 militia; who (i) was released from active duty by general or honorable
44 discharge after September eleventh, two thousand one, or (ii) has a
45 qualifying condition, as defined in section three hundred fifty of the
46 executive law, and has received a discharge other than bad conduct or
47 dishonorable from such service after September eleventh, two thousand
48 one, or (iii) is a discharged LGBT veteran, as defined in section three
49 hundred fifty of the executive law, and has received a discharge other
50 than bad conduct or dishonorable from such service after September elev-
51 enth, two thousand one;

52 § 74. Section 295 of the town law, as amended by chapter 658 of the
53 laws of 2004, is amended to read as follows:

54 § 295. Removal of remains of deceased members of armed forces. Upon a
55 verified petition presented to a judge of a court of record by any armed
56 forces' organization in any town or city in this state by a majority of

1 its officers, or a majority of any memorial committee in any town or
2 city where there are two or more veteran armed forces' organizations, or
3 in towns or cities where there are no veteran armed forces' organiza-
4 tions, upon the petition of five or more veterans of the armed forces,
5 the judge to whom said verified petition is presented shall make an
6 order to show cause, returnable before him at a time and place within
7 the county in not less than fourteen or more than twenty days from the
8 date of presentation of said petition, why the remains of any deceased
9 members of the armed forces buried in potter's field, or in any
10 neglected or abandoned cemeteries, should not be removed to and rein-
11 terred in a properly kept incorporated cemetery in the same town or city
12 or in a town adjoining the town or city in which the remains of a
13 deceased member of the armed forces are buried, and to fix the amount of
14 the expenses for such removal and reinterment, and the order to show
15 cause shall provide for its publication in a newspaper, to be designated
16 in the order, which is published nearest to the cemetery from which the
17 removal is sought to be made, once in each week for two successive
18 weeks. The verified petition presented to the judge shall show that the
19 petitioners are a majority of the officers of a veteran armed forces
20 organization, or a majority of a memorial committee in towns or cities
21 where two or more veteran armed forces organizations exist, or that the
22 petitioners are honorably discharged veterans of the armed forces in
23 towns or cities where no veteran armed forces organization exists, or
24 that the petitioners have a qualifying condition, as defined in section
25 three hundred fifty of the executive law, and received a discharge other
26 than bad conduct or dishonorable from such service and are in towns or
27 cities where no veteran armed forces organizations exist, or that the
28 petitioners are discharged LGBT veterans, as defined in section three
29 hundred fifty of the executive law, and received a discharge other than
30 bad conduct or dishonorable from such service and are in towns and
31 cities where no veteran armed forces organizations exist, and (1) the
32 name of the deceased member or members of the armed forces, whose
33 remains are sought to be removed, and if known the unit in which he or
34 they served; (2) the name and location of the cemetery in which he is
35 interred and from which removal is asked to be made; (3) the name and
36 location of the incorporated cemetery to which the remains are desired
37 to be removed and reinterred; (4) the facts showing the reasons for such
38 removal. Upon the return day of the order to show cause and at the time
39 and place fixed in said order, upon filing proof of publication of the
40 order to show cause with the judge, if no objection is made thereto, he
41 shall make an order directing the removal of the remains of said
42 deceased member or members of the armed forces to the cemetery desig-
43 nated in the petition within the town or city or within a town adjoining
44 the town or city in which the remains are then buried and shall specify
45 in the order the amount of the expenses of such removal, which expenses
46 of removal and reinterment, including the expense of the proceeding
47 under this section, shall be a charge upon the county in which the town
48 or city is situated from which the removal is made and such expenses
49 shall be a county charge and audited by the board of supervisors of the
50 county and paid in the same manner as other county charges. On and after
51 the removal and reinterment of the remains of the deceased member or
52 members of the armed forces in the armed forces' plot, the expenses for
53 annual care of the grave in the armed forces' burial plot to which the
54 removal is made shall be annually provided by the town or city in which
55 the remains were originally buried, at the rate of not to exceed twenty
56 dollars per grave, and shall be paid annually to the incorporated ceme-

1 tery association to which the remains of each deceased member of the
2 armed forces may be removed and reinterred. The petition and order shall
3 be filed in the county clerk's office of the county in which the remains
4 of the deceased member of the armed forces were originally interred, and
5 the service of a certified copy of the final order upon the cemetery
6 association shall be made prior to any removal. Any relative of the
7 deceased member or members of the armed forces, or the officer of any
8 cemetery association in which the remains of the deceased member or
9 members of the armed forces were originally interred, or the authorities
10 of the county in which the member or members of the armed forces were
11 originally buried, may oppose the granting of said order and the judge
12 shall summarily hear the statement of the parties and make such order as
13 the justice and equity of the application shall require. Any headstone
14 or monument which marks the grave of the deceased member of the armed
15 forces shall be removed and reset at the grave in the cemetery in which
16 the removal is permitted to be made and in each case the final order
17 shall provide the amount of the expenses of such removals and reinter-
18 ment and resetting of the headstone or monument, including the expenses
19 of the proceedings under this section; except that where provision is
20 otherwise made for the purchase or erection of a new headstone, monument
21 or marker at the grave in the cemetery to which such removal is permit-
22 ted, such old headstone or monument need not be so removed and reset, in
23 which case such final order shall not provide for the expense of reset-
24 ting. The order shall designate the person or persons having charge of
25 the removals and reinterments. Upon completion of the removal, reinter-
26 ment and resetting of the headstones or monuments, the person or persons
27 having charge of the same shall make a verified report of the removal,
28 reinterment and resetting of the headstone or monument and file the
29 report in the clerk's office of the proper county. The words "member of
30 the armed forces" shall be construed to mean [~~an honorably discharged~~] a
31 member of the armed forces who served in the armed forces of the United
32 States and who (5) was honorably discharged from such service, or (6)
33 has a qualifying condition, as defined in section three hundred fifty of
34 the executive law, and has received a discharge other than bad conduct
35 or dishonorable from such service, or (7) is a discharged LGBT veteran,
36 as defined in section three hundred fifty of the executive law, and has
37 received a discharge other than bad conduct or dishonorable from such
38 service, and the words "armed forces plot" shall be construed to mean a
39 plot of land in any incorporated cemetery set apart to be exclusively
40 used as a place for interring the remains of deceased veterans of the
41 armed forces of the United States.

42 § 75. Section 404-v of the vehicle and traffic law, as added by chap-
43 ter 389 of the laws of 2004, is amended to read as follows:

44 § 404-v. Distinctive plates for the United States Naval Armed Guard.
45 1. Any [~~honorably discharged~~] member of the United States Naval Armed
46 Guard residing in this state shall, upon request, be issued a license
47 plate bearing the words "United States Naval Armed Guard", or such other
48 phrase as the commissioner shall designate showing the registrant served
49 in the United States Naval Armed Guard. Application for such license
50 plate shall be filed with the commissioner in such form and detail as
51 the commissioner shall prescribe.

52 2. The distinctive plate authorized pursuant to this section shall be
53 issued upon proof, satisfactory to the commissioner, that the applicant
54 is [~~an honorably discharged~~] a veteran who served in the United States
55 Naval Armed Guard and who (1) was honorably discharged from such
56 service, or (2) has a qualifying condition, as defined in section three

1 hundred fifty of the executive law, and has received a discharge other
2 than bad conduct or dishonorable from such service, or (3) is a
3 discharged LGBT veteran, as defined in section three hundred fifty of
4 the executive law, and has received a discharge other than bad conduct
5 or dishonorable from such service.

6 3. A distinctive plate issued pursuant to this section shall be issued
7 in the same manner as other number plates upon payment of the regular
8 registration fee prescribed by section four hundred one of this article,
9 provided, however, that an additional one-time service charge of ten
10 dollars shall be charged for such plate. Provided, however, that one
11 year after the effective date of this section funds in the amount of
12 five thousand dollars, or so much thereof as may be available, shall be
13 allocated from such funds to the department to offset costs associated
14 with the production of such license plates.

15 § 76. Subdivision 1 of section 404-w of the vehicle and traffic law,
16 as added by chapter 105 of the laws of 2005, is amended to read as
17 follows:

18 1. Any war on terror veteran residing in this state shall, upon
19 request, be issued a license plate bearing the words "War on Terror
20 veteran". Application for said license plate shall be filed with the
21 commissioner in such form and detail as the commissioner shall
22 prescribe. For purposes of this section, a "war on terror" veteran shall
23 mean:

24 (a) a person who served in the armed forces of the United States in
25 the hostilities that occurred in the Persian Gulf from the eleventh day
26 of September, two thousand one, to the end of such hostilities, who (i)
27 was discharged therefrom under other than dishonorable conditions, or
28 (ii) has a qualifying condition, as defined in section three hundred
29 fifty of the executive law, and has received a discharge other than bad
30 conduct or dishonorable from such service, or (iii) is a discharged LGBT
31 veteran, as defined in section three hundred fifty of the executive law,
32 and has received a discharge other than bad conduct or dishonorable from
33 such service; or

34 (b) a person who served in the armed forces of the United States in
35 the hostilities that occurred in Afghanistan from the eleventh day of
36 September, two thousand one, to the end of such hostilities, who (i)
37 was discharged therefrom under other than dishonorable conditions, or (ii)
38 has a qualifying condition, as defined in section three hundred fifty of
39 the executive law, and has received a discharge other than bad conduct
40 or dishonorable from such service, or (iii) is a discharged LGBT veter-
41 an, as defined in section three hundred fifty of the executive law, and
42 has received a discharge other than bad conduct or dishonorable from
43 such service.

44 § 77. Subdivision 3 of section 404-w of the vehicle and traffic law,
45 as added by chapter 493 of the laws of 2005, is amended to read as
46 follows:

47 3. For the purposes of this section, "Persian Gulf veteran" shall mean
48 a person who is a resident of this state, who served in the armed forces
49 of the United States in the hostilities that occurred in the Persian
50 Gulf from the second day of August, nineteen hundred ninety to the end
51 of such hostilities, and ~~were~~ was (a) honorably discharged from the
52 military, or (b) has a qualifying condition, as defined in section three
53 hundred fifty of the executive law, and has received a discharge other
54 than bad conduct or dishonorable from such service, or (c) is a
55 discharged LGBT veteran, as defined in section three hundred fifty of

1 the executive law, and has received a discharge other than bad conduct
2 or dishonorable from such service.

3 § 78. Subdivision 3 of section 404-y of the vehicle and traffic law,
4 as added by chapter 107 of the laws of 2017, is amended to read as
5 follows:

6 3. For the purposes of this section, the following terms shall have
7 the following meanings:

8 (a) "Veteran of the Iraq War" shall mean a person who is a resident of
9 this state, who served in the armed forces of the United States in the
10 hostilities that occurred in Iraq from the sixteenth day of October, two
11 thousand two to the end of such hostilities who (i) was discharged there-
12 from under other than dishonorable conditions or (ii) has a qualifying
13 condition, as defined in section three hundred fifty of the executive
14 law, and has received a discharge other than bad conduct or dishonorable
15 from such service, or (iii) is a discharged LGBT veteran, as defined in
16 section three hundred fifty of the executive law, and has received a
17 discharge other than bad conduct or dishonorable from such service; and

18 (b) "Veteran of the Afghanistan War" shall mean a person who is a
19 resident of this state, who served in the armed forces of the United
20 States in the hostilities that occurred in Afghanistan from the seventh
21 day of October, two thousand one to the end of such hostilities who (i)
22 was discharged therefrom under other than dishonorable conditions or
23 (ii) has a qualifying condition, as defined in section three hundred
24 fifty of the executive law, and has received a discharge other than bad
25 conduct or dishonorable from such service, or (iii) is a discharged LGBT
26 veteran, as defined in section three hundred fifty of the executive law,
27 and has received a discharge other than bad conduct or dishonorable from
28 such service.

29 § 79. Paragraph (b) of subdivision 3 of section 490 of the vehicle and
30 traffic law, as amended by chapter 429 of the laws of 2014, is amended
31 to read as follows:

32 (b) The identification card shall contain a distinguishing number or
33 mark and adequate space upon which an anatomical gift, pursuant to arti-
34 cle forty-three of the public health law, by the holder may be recorded
35 and shall contain such other information and shall be issued in such
36 form as the commissioner shall determine; provided, however, every iden-
37 tification card or renewal thereof issued to a person under the age of
38 twenty-one years shall have prominently imprinted thereon the statement
39 "UNDER 21 YEARS OF AGE" in notably distinctive print or format.
40 Provided, further, however, that every identification card issued to an
41 applicant who was a member of the armed forces of the United States and
42 (i) received an honorable discharge or was released therefrom under
43 honorable conditions, or (ii) has a qualifying condition, as defined in
44 section three hundred fifty of the executive law, and has received a
45 discharge other than bad conduct or dishonorable from such service, or
46 (iii) is a discharged LGBT veteran, as defined in section three hundred
47 fifty of the executive law, and has received a discharge other than bad
48 conduct or dishonorable from such service, shall, upon his or her
49 request and submission of proof as set forth herein, contain a distin-
50 guishing mark, in such form as the commissioner shall determine, indi-
51 cating that he or she is a veteran. Such proof shall consist of a
52 certificate of release or discharge from active duty including but not
53 limited to a DD Form 214 or other proof satisfactory to the commission-
54 er. The commissioner shall not require fees for the issuance of such
55 identification cards or renewals thereof to persons under twenty-one
56 years of age which are different from the fees required for the issuance

1 of identification cards or renewals thereof to persons twenty-one years
2 of age or over, nor fees to persons requesting a veteran distinguishing
3 mark which are different from fees that would otherwise be required.
4 Provided, however, that notwithstanding the provisions of section four
5 hundred ninety-one of this article, the commissioner shall not require
6 any fees for the duplication or amendment of an identification card
7 prior to its renewal if such duplication or amendment was solely for the
8 purpose of adding a veteran distinguishing mark to such identification
9 card.

10 § 80. Paragraph (a-1) of subdivision 1 of section 504 of the vehicle
11 and traffic law, as amended by chapter 429 of the laws of 2014, is
12 amended to read as follows:

13 (a-1) Every license or renewal thereof issued to an applicant who was
14 a member of the armed forces of the United States and who (i) received
15 an honorable discharge or was released therefrom under honorable condi-
16 tions, or (ii) has a qualifying condition, as defined in section three
17 hundred fifty of the executive law, and has received a discharge other
18 than bad conduct or dishonorable from such service, or (iii) is a
19 discharged LGBT veteran, as defined in section three hundred fifty of
20 the executive law, and has received a discharge other than bad conduct
21 or dishonorable from such service, shall, upon his or her request and
22 submission of proof as set forth herein, contain a distinguishing mark,
23 in such form as the commissioner shall determine, indicating that he or
24 she is a veteran. Such proof shall consist of a certificate of release
25 or discharge from active duty including but not limited to a DD Form 214
26 or other proof satisfactory to the commissioner. The commissioner shall
27 not require fees for the issuance of such licenses or renewals thereof
28 to persons requesting a veteran distinguishing mark which are different
29 from fees otherwise required; provided, however, that notwithstanding
30 the provisions of this section, the commissioner shall not require fees
31 for a duplication or amendment of a license prior to its renewal if such
32 duplication or amendment was solely for the purpose of adding a veteran
33 distinguishing mark to such license.

34 § 81. Paragraph (a) of subdivision 8 of section 15 of the workers'
35 compensation law, as amended by chapter 635 of the laws of 1996, is
36 amended to read as follows:

37 (a) Declaration of policy and legislative intent. As a guide to the
38 interpretation and application of this subdivision, the policy and
39 intent of this legislature is declared to be as follows:

40 First: That every person in this state who works for a living is enti-
41 tled to reasonable opportunity to maintain his independence and self-
42 respect through self-support even after he/she has been physically hand-
43 icapped by injury or disease;

44 Second: That any plan which will reasonably, equitably and practically
45 operate to break down hindrances and remove obstacles to the employment
46 of partially disabled persons who (i) are honorably discharged from our
47 armed forces, or (ii) have a qualifying condition, as defined in section
48 three hundred fifty of the executive law, and received a discharge other
49 than bad conduct or dishonorable from such service, or (iii) are
50 discharged LGBT veterans, as defined in section three hundred fifty of
51 the executive law, and received a discharge other than bad conduct or
52 dishonorable from such service, or any other physically handicapped
53 persons, is of vital importance to the state and its people and is of
54 concern to this legislature;

55 Third: That it is the considered judgment of this legislature that the
56 system embodied in this subdivision, which makes a logical and equitable

1 adjustment of the liability under the workers' compensation law which an
2 employer must assume in hiring employees, constitutes a practical and
3 reasonable approach to a solution of the problem for the employment of
4 physically handicapped persons.

5 Moreover, because of the insidious nature of slowly developing
6 diseases such as silicosis and other dust diseases and because of the
7 reluctance on the part of employers to employ persons previously exposed
8 to silica or other harmful dust, means should also be provided whereby
9 employers will be encouraged to employ and to continue the employment of
10 such persons, by apportioning liability fairly between the employer and
11 industry as a whole without at the same time removing any incentive for
12 the prevention of harmful dust diseases.

13 § 82. This act shall take effect one year after it shall have become a
14 law; provided, however that the amendments to subdivision 7 of section
15 369-h of the executive law made by section twenty-five of this act shall
16 not affect the repeal of such section and shall be deemed repealed ther-
17 ewith. Effective immediately, the addition, amendment and/or repeal of
18 any rule or regulation necessary for the implementation of this act on
19 its effective date are authorized to be made and completed on or before
20 such effective date.