

# 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.

LBD13157-01-9

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 twenti-  
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 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 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:

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

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

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

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

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

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

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

47 3. Any person who has served as a commissioned or warrant officer in  
48 the organized militia or in the armed forces of the United States and  
49 (a) has been honorably discharged therefrom, or (b) has a qualifying  
50 condition, as defined in section three hundred fifty of the executive  
51 law, and has received a discharge other than bad conduct or dishonorable  
52 from such service, or (c) is a discharged LGBT veteran, as defined in  
53 section three hundred fifty of the executive law, and has received a  
54 discharge other than bad conduct or dishonorable from such service, may  
55 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 certif-  
2 icate, 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 incurrance 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

1 corps expeditionary medal, or global war on terrorism expeditionary  
2 medal, and who (1) was discharged or released therefrom under honorable  
3 conditions, or (2) has a qualifying condition, as defined in section  
4 three hundred fifty of the executive law, and has received a discharge  
5 other than bad conduct or dishonorable from such service, or (3) is a  
6 discharged LGBT veteran, 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, (ii) who was employed by the War  
9 Shipping Administration or Office of Defense Transportation or their  
10 agents as a merchant seaman documented by the United States Coast Guard  
11 or Department of Commerce, or as a civil servant employed by the United  
12 States Army Transport Service (later redesignated as the United States  
13 Army Transportation Corps, Water Division) or the Naval Transportation  
14 Service; and who served satisfactorily as a crew member during the peri-  
15 od of armed conflict, December seventh, nineteen hundred forty-one, to  
16 August fifteenth, nineteen hundred forty-five, aboard merchant vessels  
17 in oceangoing, i.e., foreign, intercoastal, or coastwise service as such  
18 terms are defined under federal law (46 USCA 10301 & 10501) and further  
19 to include "near foreign" voyages between the United States and Canada,  
20 Mexico, or the West Indies via ocean routes, or public vessels in ocean-  
21 going service or foreign waters and who has received a Certificate of  
22 Release or Discharge from Active Duty and a discharge certificate, or an  
23 Honorable Service Certificate/Report of Casualty, from the department of  
24 defense, (iii) who served as a United States civilian employed by the  
25 American Field Service and served overseas under United States Armies  
26 and United States Army Groups in world war II during the period of armed  
27 conflict, December seventh, nineteen hundred forty-one through May  
28 eighth, nineteen hundred forty-five, and who (1) was discharged or  
29 released therefrom under honorable conditions, or (2) has a qualifying  
30 condition, as defined in section three hundred fifty of the executive  
31 law, and has received a discharge other than bad conduct or dishonorable  
32 from such service, or (3) is a discharged LGBT veteran, as defined in  
33 section three hundred fifty of the executive law, and has received a  
34 discharge other than bad conduct or dishonorable from such service, (iv)  
35 who served as a United States civilian Flight Crew and Aviation Ground  
36 Support Employee of Pan American World Airways or one of its subsid-  
37 iaries or its affiliates and served overseas as a result of Pan Ameri-  
38 can's contract with Air Transport Command or Naval Air Transport Service  
39 during the period of armed conflict, December fourteenth, nineteen  
40 hundred forty-one through August fourteenth, nineteen hundred forty-  
41 five, and who (1) was discharged or released therefrom under honorable  
42 conditions, or (2) has a qualifying condition, as defined in section  
43 three hundred fifty of the executive law, and has received a discharge  
44 other than bad conduct or dishonorable from such service, or (3) is a  
45 discharged LGBT veteran, 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 (v) notwithstanding any other  
48 provision of law to the contrary, who are members of the reserve compo-  
49 nents of the armed forces of the United States who (1) received an  
50 honorable discharge or release therefrom under honorable conditions, or  
51 (2) has a qualifying condition, as defined in section three hundred  
52 fifty of the executive law, and has received a discharge other than bad  
53 conduct or dishonorable from such service, or (3) is a discharged LGBT  
54 veteran, as defined in section three hundred fifty of the executive law,  
55 and has received a discharge other than bad conduct or dishonorable from  
56 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



1 corps expeditionary medal for participation in operations in Lebanon  
2 from June first, nineteen hundred eighty-three to December first, nine-  
3 teen hundred eighty-seven, in Grenada from October twenty-third, nine-  
4 teen hundred eighty-three to November twenty-first, nineteen hundred  
5 eighty-three, or in Panama from December twentieth, nineteen hundred  
6 eighty-nine to January thirty-first, nineteen hundred ninety, and who  
7 (1) has been honorably discharged or released under honorable circum-  
8 stances from such service or furloughed to the reserve, or (2) has a  
9 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 (3) is a discharged LGBT veteran, as  
12 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.

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

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