

STATE OF NEW YORK

8104

IN SENATE

March 23, 2020

Introduced by Sen. PARKER -- read twice and ordered printed, and when printed to be committed to the Committee on Veterans, Homeland Security and Military Affairs

AN ACT to amend the civil service law, in relation to veterans and competitive civil service exam points

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

1 Section 1. Paragraph (a) of subdivision 1 of section 85 of the civil
2 service law, as amended by chapter 333 of the laws of 1993, is amended
3 to read as follows:

4 (a) The terms "veteran" and "non-disabled veteran" mean:

5 (1) a member of the armed forces of the United States who served ther-
6 ein in time of war, who was honorably discharged or released under
7 honorable circumstances from such service, who is a citizen of the
8 United States or an alien lawfully admitted for permanent residence in
9 the United States and who is a resident of the state of New York at the
10 time of application for appointment or promotion or at the time of
11 retention, as the case may be; or

12 (2) a member of the armed forces of the United States who was honor-
13 ably discharged or released under honorable circumstances from such
14 service, who is a citizen of the United States or an alien lawfully
15 admitted for permanent residence in the United States, who is a resident
16 of the state of New York at the time of application for appointment or
17 promotion or at the time of retention, as the case may be, and who was
18 awarded either a: (i) Combat Action Ribbon, (ii) Combat Infantryman
19 Badge, (iii) Combat Medical Badge, (iv) Combat Action Badge, (v) Combat
20 Recognition Ribbon, or (vi) Air Force Combat Action medal.

21 § 2. Paragraph (a) of subdivision 1 of section 85 of the civil service
22 law, as amended by chapter 490 of the laws of 2019, is amended to read
23 as follows:

24 (a) (1) The terms "veteran" and "non-disabled veteran" mean a member
25 of the armed forces of the United States who served therein in time of
26 war, who was honorably discharged or released under honorable circum-
27 stances from such service including (i) having a qualifying condition as

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

LBD07473-03-0

1 defined in section three hundred fifty of the executive law, and receiv-
2 ing a discharge other than bad conduct or dishonorable from such
3 service, or (ii) being a discharged LGBT veteran, as defined in section
4 three hundred fifty of the executive law, and receiving a discharge
5 other than bad conduct or dishonorable from such service, who is a citi-
6 zen of the United States or an alien lawfully admitted for permanent
7 residence in the United States and who is a resident of the state of New
8 York at the time of application for appointment or promotion or at the
9 time of retention, as the case may be; or

10 (2) a member of the armed forces of the United States who was honor-
11 ably discharged or released under honorable circumstances from such
12 service, who is a citizen of the United States or an alien lawfully
13 admitted for permanent residence in the United States, who is a resident
14 of the state of New York at the time of application for appointment or
15 promotion or at the time of retention, as the case may be, and who was
16 awarded either a: (i) Combat Action Ribbon, (ii) Combat Infantryman
17 Badge, (iii) Combat Medical Badge, (iv) Combat Action Badge, (v) Combat
18 Recognition Ribbon, or (vi) Air Force Combat Action medal.

19 § 3. Subparagraph 1 of paragraph (a) of subdivision 2 of section 85
20 of the civil service law, as added by chapter 790 of the laws of 1958,
21 is amended to read as follows:

22 (1) Disabled veterans shall be entitled to receive ten points addi-
23 tional credit in a competitive examination for original appointment and
24 five points additional credit in a competitive examination for
25 promotion, and

26 § 4. Paragraph (b) of subdivision 1 of section 85 of the civil service
27 law is amended by adding a new subparagraph 4 to read as follows:

28 (4) A veteran who is certified by the United States veterans' adminis-
29 tration or a military department as entitled to receive disability
30 payments upon certification of such veterans' administration or a mili-
31 tary department for a disability incurred by him or her in the course of
32 his or her time of service and in existence at the time of application
33 for appointment or promotion or at the time of retention, as the case
34 may be, and who was awarded either a: (i) Combat Action Ribbon, (ii)
35 Combat Infantryman Badge, (iii) Combat Medical Badge, (iv) Combat Action
36 Badge, (v) Combat Recognition Ribbon, or (vi) Air Force Combat Action
37 medal.

38 § 5. This act shall take effect immediately; provided, however, that
39 the amendments made to paragraph (a) of subdivision 1 of section 85 of
40 the civil service law by section two of this act shall take effect on
41 the same date and same manner as section 4 of chapter 490 of the laws of
42 2019, takes effect.