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:

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

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

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

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

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

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

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

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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, who is a citizen of the United States or an alien lawfully admitted for permanent residence in the United States and who is a resident of the state of New York at the time of application for appointment or promotion or at the time of retention, as the case may be; or

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

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

(1) Disabled veterans shall be entitled to receive ten points additional **credit** in a competitive examination for original appointment and five points additional credit in a competitive examination for promotion, and

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

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

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