STATE OF NEW YORK

2121--A

2019-2020 Regular Sessions

IN ASSEMBLY

January 22, 2019

Introduced by M. of A. HUNTER -- read once and referred to the Committee on Corporations, Authorities and Commissions -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the business corporation law and the not-for-profit corporation law, in relation to exempting veterans from the payment of certain fees relating to corporations

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

Section 1. The business corporation law is amended by adding a new section 104-B to read as follows:

§ 104-B. Veteran exemption from fees.

(a) As used in this section, "veteran" means a person who (1) served in the United States Army, Navy, Marine Corps, Air Force or Coast Guard or (2) has served on active duty or ordered to active duty as a member of the national guard or other reserve components of the United States Armed Forces or (3) is a member of the state militia and is called or ordered to active duty for the state, as defined in subdivision one of section six of the military law and was honorably discharged or released under honorable circumstances from such service, and such person is a resident of the state of New York at the time undertaking an action subject to a fee pursuant to section one hundred four-A of this article.

(b) Notwithstanding any other provision of law, no veteran shall be required to pay the fees otherwise required by section one hundred four-A of this article within five years of being honorably discharged or released under honorable circumstances from military service.

(c) Status as an eligible veteran pursuant to this section shall be documented pursuant to rules and regulations promulgated by the commissioner of the department of state.

§ 2. The not-for-profit corporation law is amended by adding a new section 104-B to read as follows:

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

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§ 104-B. Veteran exemption from fees.

(a) As used in this section, "veteran" means a person who (1) served in the United States Army, Navy, Marine Corps, Air Force or Coast Guard or (2) has served on active duty or ordered to active duty as a member of the national guard or other reserve components of the United States Armed Forces or (3) is a member of the state militia and is called or ordered to active duty for the state, as defined in subdivision one of section six of the military law and was honorably discharged or released under honorable circumstances from such service, and such person is a resident of the state of New York at the time undertaking an action subject to a fee pursuant to section one hundred four-A of this article.

(b) Notwithstanding any other provision of law, no veteran shall be required to pay the fees otherwise required by section one hundred four-A of this article within five years of being honorably discharged or released under honorable circumstances from military service.

(c) Status as an eligible veteran pursuant to this section shall be documented pursuant to rules and regulations promulgated by the commissioner of the department of state.

§ 3. This act shall take effect on the one hundred eightieth day after it shall have become a law.