

# STATE OF NEW YORK

---

1310--A

2021-2022 Regular Sessions

## IN ASSEMBLY

January 8, 2021

---

Introduced by M. of A. MAGNARELLI -- read once and referred to the Committee on Veterans' Affairs -- recommitted to the Committee on Veterans' Affairs in accordance with Assembly Rule 3, sec. 2 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the military law, in relation to the issuance of a New York State Korean War Commemorative Medal

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

1 Section 1. Section 247 of the military law is amended by adding a new  
2 subdivision 1-d to read as follows:

3 1-d. The governor is hereby authorized to present in the name of the  
4 legislature of the state of New York, a medal, to be known as the "New  
5 York State Korean War Commemorative Medal", bearing a suitable  
6 inscription, to any person: (i) who is a resident of the state of New  
7 York, or (ii) who was a resident of the state of New York while serving  
8 in the armed forces of the United States; (iii) who served in the United  
9 States Armed Forces, defined as army, air force, navy, marine corps, or  
10 coast guard, or the organized militia defined as the army national  
11 guard, the air national guard, the New York naval militia or the New  
12 York guard, on active duty on the Korean peninsula, its contiguous  
13 waters, or its airspace in the Korean War defined as the period of time  
14 from June twenty-seventh, nineteen hundred fifty through January thir-  
15 ty-first, nineteen hundred fifty-five; and (iv) who was honorably  
16 discharged or released under honorable circumstances or who has a quali-  
17 fying condition, as defined in section three hundred fifty of the execu-  
18 tive law, and received a discharge other than bad conduct or dishonor-  
19 able discharge, or is a discharged LGBT veteran, as defined in section  
20 three hundred fifty of the executive law, and received a discharge other  
21 than bad conduct or dishonorable discharge. No person shall receive more  
22 than one New York State Korean War Commemorative Medal. In the event of

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

LBD01390-04-2

1 the death of any person prior to the receipt of such commemorative  
2 medal, such commemorative medal shall be presented to the designated  
3 representative of the deceased. The governor, in consultation with the  
4 director of the division of veterans' services, shall make such rules  
5 and regulations as may be deemed necessary for the proper presentation  
6 and distribution of such medals.

7 § 2. Subdivision 4 of section 247 of the military law, as amended by  
8 chapter 332 of the laws of 2018, is amended to read as follows:

9 4. This section shall not be construed to require that a recipient of  
10 the conspicuous service cross, the conspicuous service star, the Cold  
11 War Certificate [~~ex~~], the New York State Silver Rose Veterans Service  
12 Certificate or the New York State Korean War Commemorative Medal has  
13 been a resident of the state of New York at the time of his or her entry  
14 into the United States army, air force, navy, or marine corps[, ~~or nurse~~  
15 ~~es corps~~].

16 § 3. This act shall take effect on the one hundred twentieth day after  
17 it shall have become a law. The division of military and naval affairs  
18 is authorized to promulgate any and all rules and regulations and take  
19 any other measures necessary to implement the provisions of this act on  
20 its effective date on or before such date.