STATE OF NEW YORK

357--A

2021-2022 Regular Sessions

IN ASSEMBLY

(Prefiled)

January 6, 2021

Introduced by M. of A. MAGNARELLI, EPSTEIN -- 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 Vietnam War Commemorative Medal

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

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

1-d. The governor is hereby authorized to present in the name of the legislature of the state of New York, a medal, to be known as the "New York State Vietnam War Commemorative Medal", bearing a suitable inscription, to any person: (i) who is a resident of the state of New York; or (ii) who was a resident 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, defined as army, air force, navy, marine corps, or coast guard, or the organized militia defined as the army national guard, the air national guard, the New York naval militia, or the New York guard, on active duty abroad in Vietnam, Thailand, Laos, Cambodia, or in the contiguous waters or air space thereof during the period of time from November first, nineteen hundred fifty-five through May seventh, nineteen hundred seventy-five; and (iv) who was honorably discharged or released under honorable circumstances or who 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 discharge, 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 discharge. No person shall receive

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

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more than one New York State Vietnam War Commemorative Medal. In the event of the death of any eligible person prior to the receipt of such commemorative medal, such commemorative medal shall be presented to the designated representative of the deceased. 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 such medals.

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

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

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