

STATE OF NEW YORK

9860

IN ASSEMBLY

April 19, 2022

Introduced by M. of A. BARRETT -- read once and referred to the Committee on Veterans' Affairs

AN ACT to amend the civil service law, the education law, the executive law, the general business law, the military law, the parks, recreation and historic preservation law, the real property tax law, the social services law, the vehicle and traffic law and the workers' compensation law, in relation to removing the requirement that a veteran served during wartime to be granted certain benefits

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

1 Section 1. Subdivision 1 of section 55-c of the civil service law, as
2 amended by chapter 340 of the laws of 2008, is amended to read as
3 follows:
4 1. The commission may determine up to five hundred positions with
5 duties such as can be performed by disabled veterans and veterans with
6 disabilities who are found otherwise qualified to perform satisfactorily
7 the duties of any such position. Upon such determination, the said posi-
8 tions shall be classified in the noncompetitive class, and may be filled
9 only by veterans of the armed forces of the United States [~~who served~~
10 ~~therein during time of war, as defined in paragraph (c) of subdivision~~
11 ~~one of section eighty-five of this chapter~~], and (a) who establish by
12 appropriate documentary evidence that they are disabled veterans, as
13 defined in paragraph (b) of subdivision one of section eighty-five of
14 this chapter, or (b) by those veterans, as defined in paragraph (a) of
15 subdivision one of section eighty-five of this chapter, who shall have
16 been certified by the employee health service of the department as being
17 disabled but capable of performing the duties of said positions. Prior-
18 ity in certification and referral of both such disabled veterans and
19 certified disabled but capable veterans shall be given to those veterans
20 who received a wound in combat, as documented by the awarding of the
21 purple heart, as authorized by the United States department of defense,
22 and that wound is the cause of, or a substantially contributing factor
23 to, the degree of impairment, who otherwise meet the requirements of
24 this section. The number of veterans appointed pursuant to this section
25 shall not exceed five hundred.

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

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1 § 2. Paragraph (b) of subdivision 1 of section 75 of the civil service
2 law, as amended by chapter 490 of the laws of 2019, is amended to read
3 as follows:

4 (b) a person holding a position by permanent appointment or employment
5 in the classified service of the state or in the several cities, coun-
6 ties, towns, or villages thereof, or in any other political or civil
7 division of the state or of a municipality, or in the public school
8 service, or in any public or special district, or in the service of any
9 authority, commission or board, or in any other branch of public
10 service, who was honorably discharged or released under honorable
11 circumstances from the armed forces of the United States including (i)
12 having a qualifying condition as defined in section three hundred fifty
13 of the executive law, and receiving a discharge other than bad conduct
14 or dishonorable from such service, or (ii) being a discharged LGBT
15 veteran, as defined in section three hundred fifty of the executive law,
16 and receiving a discharge other than bad conduct or dishonorable from
17 such service, [~~having served therein as such member in time of war as~~
18 ~~defined in section eighty-five of this chapter,~~] or who is an exempt
19 volunteer firefighter as defined in the general municipal law, except
20 when a person described in this paragraph holds the position of private
21 secretary, cashier or deputy of any official or department, or

22 § 3. Section 86 of the civil service law, as amended by chapter 490 of
23 the laws of 2019, is amended to read as follows:

24 § 86. Transfer of veterans or exempt volunteer firefighters upon abol-
25 ition of positions. If the position in the non-competitive or in the
26 labor class held by any honorably discharged veteran of the armed forces
27 of the United States or by any veteran of the armed forces of the United
28 States released under honorable circumstances from such service includ-
29 ing (i) having a qualifying condition as defined in section three
30 hundred fifty of the executive law, and receiving a discharge other than
31 bad conduct or dishonorable from such service, or (ii) being a
32 discharged LGBT veteran, as defined in section three hundred fifty of
33 the executive law, and receiving a discharge other than bad conduct or
34 dishonorable from such service, [~~who served therein in time of war as~~
35 ~~defined in section eighty-five of this chapter,~~] or by an exempt volun-
36 teer firefighter as defined in the general municipal law, shall become
37 unnecessary or be abolished for reasons of economy or otherwise, the
38 honorably discharged veteran or exempt volunteer firefighter holding
39 such position shall not be discharged from the public service but shall
40 be transferred to a similar position wherein a vacancy exists, and shall
41 receive the same compensation therein. It is hereby made the duty of all
42 persons clothed with the power of appointment to make such transfer
43 effective. The right to transfer herein conferred shall continue for a
44 period of one year following the date of abolition of the position, and
45 may be exercised only where a vacancy exists in an appropriate position
46 to which transfer may be made at the time of demand for transfer. Where
47 the positions of more than one such veteran or exempt volunteer fire-
48 fighter are abolished and a lesser number of vacancies in similar posi-
49 tions exist to which transfer may be made, the veterans or exempt volun-
50 teer firefighters whose positions are abolished shall be entitled to
51 transfer to such vacancies in the order of their original appointment in
52 the service. Nothing in this section shall be construed to apply to the
53 position of private secretary, cashier or deputy of any official or
54 department. This section shall have no application to persons encom-
55 passed by section eighty-a of this chapter.

1 § 4. Paragraph c of subdivision 1 of section 360 of the education law,
2 as amended by chapter 490 of the laws of 2019, is amended to read as
3 follows:

4 c. Adopt and enforce campus rules and regulations not inconsistent
5 with the vehicle and traffic law relating to parking, vehicular and
6 pedestrian traffic, and safety. Such rules and regulations may include
7 provisions for the disposition of abandoned vehicles, removal by towing
8 or otherwise of vehicles parked in violation of such rules at the
9 expense of the owner, the payment of fees for the registration or park-
10 ing of such vehicles, provided that such campus rules and regulations
11 may provide that any veteran attending the state university as a student
12 shall be exempt from any fees for parking or registering a motor vehi-
13 cle, and the assessment of administrative fines upon the owner or opera-
14 tor of such vehicles for each violation of the regulations. However, no
15 such fine may be imposed without a hearing or an opportunity to be heard
16 conducted by an officer or board designated by the board of trustees.
17 Such fines, in the case of an officer or employee of state university,
18 may be deducted from the salary or wages of such officer or employee
19 found in violation of such regulations, or in the case of a student of
20 state university found in violation of such regulations, the university
21 may withhold his grades and transcripts until such time as any fine is
22 paid. For purposes of this subdivision, the term "veteran" shall mean a
23 member of the armed forces of the United States who served in such armed
24 forces [~~in time of war~~] and who (i) was honorably discharged or released
25 under honorable circumstances from such service, or (ii) has a qualify-
26 ing condition, as defined in section three hundred fifty of the execu-
27 tive law, and has received a discharge other than bad conduct or
28 dishonorable from such service, or (iii) is a discharged LGBT veteran,
29 as defined in section three hundred fifty of the executive law, and has
30 received a discharge other than bad conduct or dishonorable from such
31 service.

32 § 5. Subdivision 5 of section 605 of the education law, as amended by
33 chapter 490 of the laws of 2019, is amended to read as follows:

34 5. Regents scholarships for [~~war~~] veterans. Regents scholarships for
35 [~~war~~] veterans shall be awarded on a competitive basis, for study begin-
36 ning with the college year nineteen hundred seventy-five--nineteen
37 hundred seventy-six. Six hundred such scholarships shall be awarded in
38 such year to veterans of the armed forces of the United States who have
39 served on active duty (other than for training) between October one,
40 nineteen hundred sixty-one and March twenty-nine, nineteen hundred
41 seventy-three, and who on the date by which applications are required to
42 be submitted (a) have been released from such active duty on conditions
43 not other than honorable, or (b) have a qualifying condition, as defined
44 in section three hundred fifty of the executive law, and have received a
45 discharge other than bad conduct or dishonorable from such service, or
46 (c) are discharged LGBT veterans, as defined in section three hundred
47 fifty of the executive law, and have received a discharge other than bad
48 conduct or dishonorable from such service. Such scholarships shall be
49 allocated to each county in the state in the same ratio that the number
50 of legal residents in such county, as determined by the most recent
51 federal census, bears to the total number of residents in the state;
52 provided, however, that no county shall be allocated fewer scholarships
53 than such county received during the year nineteen hundred sixty-eight-
54 -sixty-nine.

55 § 6. Subdivision 1 of section 668 of the education law, as amended by
56 chapter 580 of the laws of 1992, paragraph (a) as amended by chapter 261

1 of the laws of 1995, paragraph (b) as amended by chapter 490 of the laws
2 of 2019, paragraph (d) as amended by chapter 606 of the laws of 2021,
3 and paragraphs (f) and (g) as added by chapter 435 of the laws of 2006,
4 is amended to read as follows:

5 1. Period of military service. For a student to be eligible, the
6 parent, or step-parent where the student is the dependent of the step-
7 parent, (i) must ~~[have been a recipient of the armed forces expedition-~~
8 ~~ary medal, the navy expeditionary medal or the marine corps expedition-~~
9 ~~ary medal for participation in operations in Lebanon from June first,~~
10 ~~nineteen hundred eighty-three to December first, nineteen hundred eight-~~
11 ~~y seven, in Grenada from October twenty third, nineteen hundred eighty-~~
12 ~~three to November twenty first, nineteen hundred eighty three, or in~~
13 ~~Panama from December twentieth, nineteen hundred eighty nine to January~~
14 ~~thirty-first, nineteen hundred ninety]~~ have been a member of the armed
15 forces of the United States, and who (A) was discharged or released
16 therefrom under honorable conditions, or (B) has a qualifying condition,
17 as defined in section three hundred fifty of the executive law, and has
18 received a discharge other than bad conduct or dishonorable from such
19 service, or (C) is a discharged LGBT veteran, as defined in section
20 three hundred fifty of the executive law, or (ii) must have served on
21 regular active duty (other than for training) in the armed forces of the
22 United States during part of one of the following periods:

23 (a) April sixth, nineteen hundred seventeen to November eleven, nine-
24 teen hundred eighteen.

25 (b) December seven, nineteen hundred forty-one to December thirty-one,
26 nineteen hundred forty-six, or have been employed by the War Shipping
27 Administration or Office of Defense Transportation or their agents as a
28 merchant seaman documented by the United States Coast Guard or Depart-
29 ment of Commerce, or as a civil servant employed by the United States
30 Army Transport Service (later redesignated as the United States Army
31 Transportation Corps, Water Division) or the Naval Transportation
32 Service; and who served satisfactorily as a crew member during the peri-
33 od of armed conflict, December seventh, nineteen hundred forty-one, to
34 August fifteenth, nineteen hundred forty-five, aboard merchant vessels
35 in oceangoing, i.e., foreign, intercoastal, or coastwise service as such
36 terms are defined under federal law (46 USCA 10301 & 10501) and further
37 to include "near foreign" voyages between the United States and Canada,
38 Mexico, or the West Indies via ocean routes, or public vessels in ocean-
39 going service or foreign waters and who has received a Certificate of
40 Release or Discharge from Active Duty and a discharge certificate, or an
41 Honorable Service Certificate/Report of Casualty, from the Department of
42 Defense or have served as a United States civilian employed by the Amer-
43 ican Field Service and served overseas under United States Armies and
44 United States Army Groups in world war II during the period of armed
45 conflict, December seventh, nineteen hundred forty-one through May
46 eighth, nineteen hundred forty-five, and who (i) was discharged or
47 released therefrom under honorable conditions, or (ii) has a qualifying
48 condition, as defined in section three hundred fifty of the executive
49 law, and has received a discharge other than bad conduct or dishonorable
50 from such service, or (iii) is a discharged LGBT veteran, as defined in
51 section three hundred fifty of the executive law, and has received a
52 discharge other than bad conduct or dishonorable from such service, or
53 have served as a United States civilian Flight Crew and Aviation Ground
54 Support Employee of Pan American World Airways or one of its subsid-
55 iaries or its affiliates and served overseas as a result of Pan Ameri-
56 can's contract with Air Transport Command or Naval Air Transport Service

1 during the period of armed conflict, December fourteenth, nineteen
2 hundred forty-one through August fourteenth, nineteen hundred forty-
3 five, and who (iv) was discharged or released therefrom under honorable
4 conditions, or (v) has a qualifying condition, as defined in section
5 three hundred fifty of the executive law, and has received a discharge
6 other than bad conduct or dishonorable from such service, or (vi) is a
7 discharged LGBT veteran, as defined in section three hundred fifty of
8 the executive law, and has received a discharge other than bad conduct
9 or dishonorable from such service.

10 (c) June twenty-seven, nineteen hundred fifty to January thirty-one,
11 nineteen hundred fifty-five.

12 (d) November first, nineteen hundred fifty-five to May seventh, nine-
13 teen hundred seventy-five.

14 (e) August two, nineteen hundred ninety to the end of hostilities in
15 the Persian Gulf conflict.

16 (f) From September eighteenth, two thousand one until the end of the
17 United States military efforts in Afghanistan.

18 (g) From October sixteenth, two thousand two until the end of the
19 United States military efforts in Iraq.

20 § 7. Subdivisions 1 and 2 of section 669-a of the education law,
21 subdivision 1 as amended by chapter 490 of the laws of 2019, paragraph a
22 of subdivision 1 as amended by chapter 606 of the laws of 2021, and
23 subdivision 2 as amended by section 3 of part N of chapter 57 of the
24 laws of 2008, are amended to read as follows:

25 1. As used in this section, the following terms shall have the follow-
26 ing meanings:

27 a. "Vietnam veteran" means (i) a person who is a resident of this
28 state, (ii) who served in the armed forces of the United States in Indo-
29 china at any time from the first day of November, nineteen hundred
30 fifty-five, to and including the seventh day of May, nineteen hundred
31 seventy-five, and (iii) who was either discharged therefrom under honor-
32 able conditions, including but not limited to honorable discharge,
33 discharge under honorable conditions, or general discharge, or has a
34 qualifying condition, as defined in section three hundred fifty of the
35 executive law, and has received a discharge other than bad conduct or
36 dishonorable from such service, or is a discharged LGBT veteran, as
37 defined in section three hundred fifty of the executive law, and has
38 received a discharge other than bad conduct or dishonorable from such
39 service.

40 b. "Persian Gulf veteran" means (i) a person who is a resident of this
41 state, (ii) who served in the armed forces of the United States in the
42 hostilities that occurred in the Persian Gulf from the second day of
43 August, nineteen hundred ninety through the end of such hostilities, and
44 (iii) who was either discharged therefrom under honorable conditions,
45 including but not limited to honorable discharge, discharge under honor-
46 able conditions, or general discharge, or has a qualifying condition, as
47 defined in section three hundred fifty of the executive law, and has
48 received a discharge other than bad conduct or dishonorable from such
49 service, or is a discharged LGBT veteran, as defined in section three
50 hundred fifty of the executive law, and has received a discharge other
51 than bad conduct or dishonorable from such service.

52 c. "Afghanistan veteran" means (i) a person who is a resident of this
53 state, (ii) who served in the armed forces of the United States in the
54 hostilities that occurred in Afghanistan from the eleventh day of
55 September, two thousand one, to the end of such hostilities, and (iii)
56 who was either discharged therefrom under honorable conditions, includ-

1 ing but not limited to honorable discharge, discharge under honorable
2 conditions, or general discharge, or has a qualifying condition, as
3 defined in section three hundred fifty of the executive law, and has
4 received a discharge other than bad conduct or dishonorable from such
5 service, or is a discharged LGBT veteran, as defined in section three
6 hundred fifty of the executive law, and has received a discharge other
7 than bad conduct or dishonorable from such service.

8 d. "Other eligible [~~combat~~] veteran" means: an individual who (i) is a
9 resident of this state, (ii) served in the armed forces of the United
10 States [~~in hostilities that occurred after February twenty-eighth, nine-~~
11 ~~teen hundred sixty-one, as evidenced by their receipt of an Armed Forces~~
12 ~~Expeditionary Medal, Navy Expeditionary Medal, or Marine Corps Expedi-~~
13 ~~tionary Medal~~], and (iii) was either discharged under honorable condi-
14 tions, including but not limited to honorable discharge, discharge under
15 honorable conditions, or general discharge, or has a qualifying condi-
16 tion, as defined in section three hundred fifty of the executive law,
17 and has received a discharge other than bad conduct or dishonorable from
18 such service, or is a discharged LGBT veteran, as defined in section
19 three hundred fifty of the executive law, and has received a discharge
20 other than bad conduct or dishonorable from such service.

21 e. "Part time study" means enrollment for at least three but less than
22 twelve semester hours per semester, or the equivalent, in an approved
23 undergraduate or graduate program.

24 f. "Approved vocational training programs" means programs offered by
25 agencies approved by the commissioner for funding pursuant to this
26 section. The commissioner shall approve only such non-credit programs
27 which are at least three hundred twenty clock hours in length, and which
28 meet standards of instructional quality established in regulations by
29 the commissioner. These standards shall include, but not be limited to,
30 qualifications of administrative and instructional personnel, quality of
31 facilities and equipment, recordkeeping, admission, grading, attendance,
32 and record of placement of completers which meets standards of accepta-
33 bility as established by the commissioner.

34 2. a. Tuition awards are available for all Vietnam, Persian Gulf,
35 Afghanistan and other eligible [~~combat~~] veterans, as defined in subdivi-
36 sion one of this section, who are enrolled, pursuant to paragraph a of
37 subdivision four of section six hundred sixty-one of this part, in
38 approved undergraduate or graduate programs at degree granting insti-
39 tutions or enrolled in approved vocational training programs and who
40 apply for a tuition assistance program award pursuant to section six
41 hundred sixty-seven of this subpart.

42 b. Eligibility for awards under this section shall be established as
43 of the date the application is received by the corporation. All eligible
44 recipients shall receive an award in an amount as set forth in subdivi-
45 sion four of this section.

46 § 8. Subdivision 3 of section 350 of the executive law is amended to
47 read as follows:

48 3. The term "veteran" means a person, male or female, resident of this
49 state, who has served in the active military or naval service of the
50 United States [~~during a war in which the United States engaged~~] and who
51 has been released from such service otherwise than by dishonorable
52 discharge, or who has been furloughed to the reserve.

53 § 9. Subdivision 1 of section 356 of the executive law is amended to
54 read as follows:

55 1. A state veterans' service agency established by the division pursu-
56 ant to this article shall have power and it shall be its duty to inform

1 military and naval authorities of the United States and assist members
2 of the armed forces and veterans, who are residents of this state, and
3 their families, in relation to (1) matters pertaining to educational
4 training and retraining services and facilities, (2) health, medical and
5 rehabilitation services and facilities, (3) provisions of federal, state
6 and local laws and regulations affording special rights and privileges
7 to members of the armed forces and ~~was~~ veterans and their families,
8 (4) employment and re-employment services, and (5) other matters of
9 similar, related or appropriate nature. The state veterans' service
10 agency also shall perform such other duties as may be assigned by the
11 state director.

12 § 10. Subdivision 1 of section 358 of the executive law, as amended by
13 chapter 482 of the laws of 2019, is amended to read as follows:

14 1. A local veterans' service agency shall have power under the direc-
15 tion of the state veterans' service agency, and it shall be its duty to
16 inform military and naval authorities of the United States and assist
17 members of the armed forces and veterans, who are residents of this
18 state, and their families, in relation to (1) matters pertaining to
19 educational training and retraining services and facilities, (2) health,
20 medical and rehabilitation services and facilities, (3) provisions of
21 federal, state and local laws and regulations affording special rights
22 and privileges to members of the armed forces and ~~was~~ veterans and
23 their families, (4) employment and re-employment services, (5) the proc-
24 ess of submitting an application for a discharge upgrade to the
25 discharge upgrade advisory board, and (6) other matters of similar,
26 related or appropriate nature. The local veterans' service agency may
27 also assist families of members of the reserve components of the armed
28 forces and the organized militia ordered into active duty to ensure that
29 they are made aware of and are receiving all appropriate support avail-
30 able to them and are placed in contact with the agencies responsible for
31 such support, including, but not limited to, the division of military
32 and naval affairs and other state agencies responsible for providing
33 such support. The local veterans' service agency also shall perform such
34 other duties as may be assigned by the state director.

35 § 11. Subdivision 1 of section 364 of the executive law, as added by
36 chapter 424 of the laws of 1961, paragraph a as amended by chapter 490
37 of the laws of 2019, clause 7 of subparagraph (v) of paragraph a as
38 amended by chapter 606 of the laws of 2021, and paragraph c as added by
39 chapter 751 of the laws of 1985, is amended to read as follows:

40 1. a. The word "veteran," as used in this article shall be taken to
41 mean and include any person who is a resident of the state of New York,
42 and who (i) has been or may be given an honorable, general or ordinary
43 discharge or any other form of release from such service, except a
44 dishonorable discharge, a bad conduct discharge, an undesirable
45 discharge, a discharge without honor or a discharge for the good of the
46 service, or (ii) has a qualifying condition, as defined in section three
47 hundred fifty of this article, and has received a discharge other than
48 bad conduct or dishonorable from such service, or (iii) is a discharged
49 LGBT veteran, as defined in section three hundred fifty of this article,
50 and has received a discharge other than bad conduct or dishonorable from
51 such service~~[, and who (iv) was a recipient of the armed forces expedi-~~
52 ~~tionary medal, the navy expeditionary medal or the marine corps expedi-~~
53 ~~tionary medal for participation in operations in Lebanon from June~~
54 ~~first, nineteen hundred eighty-three to December first, nineteen hundred~~
55 ~~eighty-seven, in Grenada from October twenty-third, nineteen hundred~~
56 ~~eighty-three to November twenty-first, nineteen hundred eighty-three, or~~

1 ~~in Panama from December twentieth, nineteen hundred eighty nine to Janu-~~
2 ~~ary thirty first, nineteen hundred ninety, or (v) served on active duty~~
3 ~~for ninety days or more in the armed forces of the United States during~~
4 ~~any one of the following wars or hostilities:~~

5 ~~(1) in the Spanish American war from the twenty first day of April,~~
6 ~~eighteen hundred ninety eight to the eleventh day of April, eighteen~~
7 ~~hundred ninety nine, inclusive;~~

8 ~~(2) in the Philippine insurrection or the China relief expedition from~~
9 ~~the eleventh day of April, eighteen hundred ninety nine to the fourth~~
10 ~~day of July, nineteen hundred two, inclusive;~~

11 ~~(3) in the Mexican border campaign from the ninth day of May, nineteen~~
12 ~~hundred sixteen, to the fifth day of April, nineteen hundred seventeen,~~
13 ~~inclusive;~~

14 ~~(4) in world war I from the sixth day of April, nineteen hundred~~
15 ~~seventeen to the eleventh day of November, nineteen hundred eighteen,~~
16 ~~inclusive;~~

17 ~~(5) in world war II from the seventh day of December, nineteen hundred~~
18 ~~forty one to the thirty first day of December, nineteen hundred forty~~
19 ~~six, inclusive, or who was employed by the War Shipping Administration~~
20 ~~or Office of Defense Transportation or their agents as a merchant seaman~~
21 ~~documented by the United States Coast Guard or Department of Commerce,~~
22 ~~or as a civil servant employed by the United States Army Transport~~
23 ~~Service (later redesignated as the United States Army Transportation~~
24 ~~Corps, Water Division) or the Naval Transportation Service; and who~~
25 ~~served satisfactorily as a crew member during the period of armed~~
26 ~~conflict, December seventh, nineteen hundred forty one, to August~~
27 ~~fifteenth, nineteen hundred forty five, aboard merchant vessels in~~
28 ~~oceangoing, i.e., foreign, intercoastal, or coastwise service as such~~
29 ~~terms are defined under federal law (46 USCA 10301 & 10501) and further~~
30 ~~to include "near foreign" voyages between the United States and Canada,~~
31 ~~Mexico, or the West Indies via ocean routes, or public vessels in ocean~~
32 ~~going service or foreign waters and who has received a Certificate of~~
33 ~~Release or Discharge from Active Duty and a discharge certificate, or an~~
34 ~~Honorable Service Certificate/Report of Casualty, from the Department of~~
35 ~~Defense, or who served as a United States civilian employed by the Amer-~~
36 ~~ican Field Service and served overseas under United States Armies and~~
37 ~~United States Army Groups in world war II during the period of armed~~
38 ~~conflict, December seventh, nineteen hundred forty one through May~~
39 ~~eighth, nineteen hundred forty five, and who (i) was discharged or~~
40 ~~released therefrom under honorable conditions, or (ii) has a qualifying~~
41 ~~condition, as defined in section three hundred fifty of this article,~~
42 ~~and has received a discharge other than bad conduct or dishonorable from~~
43 ~~such service, or (iii) is a discharged LGBT veteran, as defined in~~
44 ~~section three hundred fifty of this article, and has received a~~
45 ~~discharge other than bad conduct or dishonorable from such service, or~~
46 ~~who served as a United States civilian Flight Crew and Aviation Ground~~
47 ~~Support Employee of Pan American World Airways or one of its subsid-~~
48 ~~aries or its affiliates and served overseas as a result of Pan Ameri-~~
49 ~~can's contract with Air Transport Command or Naval Air Transport Service~~
50 ~~during the period of armed conflict, December fourteenth, nineteen~~
51 ~~hundred forty one through August fourteenth, nineteen hundred forty~~
52 ~~five, and who (iv) was discharged or released therefrom under honorable~~
53 ~~conditions, or (v) has a qualifying condition, as defined in section~~
54 ~~three hundred fifty of this article, and has received a discharge other~~
55 ~~than bad conduct or dishonorable from such service, or (vi) is a~~
56 ~~discharged LGBT veteran, as defined in section three hundred fifty of~~

~~this article, and has received a discharge other than bad conduct or dishonorable from such service;~~

~~(6) in the Korean hostilities from the twenty seventh day of June, nineteen hundred fifty to the thirty first day of January, nineteen hundred fifty five, inclusive;~~

~~(7) in the Vietnam conflict from the first day of November, nineteen hundred fifty five to the seventh day of May, nineteen hundred seventy five;~~

~~(8) in the Persian Gulf conflict from the second day of August, nineteen hundred ninety to the end of such conflict].~~

b. The word "veteran" shall also mean any person who meets the other requirements of paragraph a of this subdivision, who served on active duty for less than ninety days, if he or she was discharged or released from such service for a service-connected disability [~~or who served for a period of ninety consecutive days or more and such period began or ended during any war or period of hostilities as defined in paragraph a of this subdivision~~].

c. The term "active duty" as used in this article shall mean full time duty in the armed forces, other than active duty for training; provided, however, that "active duty" shall also include any period of active duty for training during which the individual concerned was disabled or died from a disease or injury incurred or aggravated during such period.

§ 12. Paragraph b of subdivision 1 of section 366 of the executive law, as added by chapter 743 of the laws of 2006, is amended to read as follows:

b. "Veteran" means a person, male or female, resident of this state, who has served in the active military, naval or air service of the United States [~~during a time of war in which the United States engaged~~] and who has been released from such service otherwise than by dishonorable discharge, or who has been furloughed to the reserve;

§ 13. Subdivisions 1 and 2 of section 32 of the general business law, as amended by chapter 490 of the laws of 2019, are amended to read as follows:

1. Every member of the armed forces of the United States who (a) was honorably discharged from such service, or (b) has a qualifying condition, as defined in section three hundred fifty of the executive law, and has received a discharge other than bad conduct or dishonorable from such service, or (c) is a discharged LGBT veteran, as defined in section three hundred fifty of the executive law, and has received a discharge other than bad conduct or dishonorable from such service, and who is a resident of this state and a veteran [~~of any war, or who shall have served in the armed forces of the United States overseas~~], and the surviving spouse of any such veteran, if a resident of the state, shall have the right to hawk, peddle, vend and sell goods, wares or merchandise or solicit trade upon the streets and highways within the county of his or her residence, as the case may be, or if such county is embraced wholly by a city, within such city, by procuring a license for that purpose to be issued as herein provided. No part of the lands or premises under the jurisdiction of the division of the state fair in the department of agriculture and markets, shall be deemed a street or highway within the meaning of this section.

2. Any such former member of the armed forces of the United States may present to the clerk of any county in which he has resided for a period of at least six months, his original certificate of release or discharge from active duty, or a copy thereof duly certified by the recording officer or a certificate in lieu of lost discharge issued by a depart-

1 ment of the armed forces of the United States which shall show that the
2 person presenting it is a veteran [~~of any war, or that he has served~~
3 ~~overseas in the armed forces of the United States~~]. He shall also fill
4 out a blank which shall when filled out state his name, residence at the
5 time of application, nature of goods to be sold, and if the applicant is
6 working on commission or percentage for any person, firm or corporation,
7 the name and business address of such person, firm or corporation. This
8 statement shall be signed by the applicant in the presence of the county
9 clerk, or a deputy designated by him, and the name on this application
10 and on the original certificate of release or discharge from active duty
11 shall be compared by the county clerk to ascertain if the person so
12 applying is the same person named in the original certificate of release
13 or discharge from active duty. Such county clerk when so satisfied shall
14 issue, without cost, to such former member of the armed forces of the
15 United States, a license certifying him to be entitled to the benefits
16 of this section.

17 § 14. Subdivision 2 of section 238 of the military law, as amended by
18 chapter 490 of the laws of 2019, is amended to read as follows:

19 2. Any person, except members of the armed forces of the United
20 States, members of the organized militia of this or any other state,
21 personnel of the independent military organizations designated in
22 section two hundred forty of this article, members of associations whol-
23 ly composed of persons who (a) were honorably discharged from the armed
24 forces of the United States, or (b) have a qualifying condition, as
25 defined in section three hundred fifty of the executive law, and have
26 received a discharge other than bad conduct or dishonorable from the
27 armed forces of the United States, or (c) are discharged LGBT veterans,
28 as defined in section three hundred fifty of the executive law, and have
29 received a discharge other than bad conduct or dishonorable from the
30 armed forces of the United States, and members of associations wholly
31 composed of sons of veterans [~~of any war of the United States~~], who
32 shall wear any uniform or any device, strap, knot or insignia of any
33 design or character used as a designation of grade, rank or office, such
34 as are by law or by regulation, duly promulgated, prescribed for the use
35 of the organized militia or similar thereto; or,

36 § 15. Section 245 of the military law, as amended by chapter 490 of
37 the laws of 2019, is amended to read as follows:

38 § 245. Retirement allowances of certain [~~war~~] veterans. Any member of
39 a teachers' retirement system to which the city of New York is required
40 by law to make contributions on account of such member who (i) is an
41 honorably discharged member of any branch of the armed forces of the
42 United States, or (ii) has a qualifying condition, as defined in section
43 three hundred fifty of the executive law, and has received a discharge
44 other than bad conduct or dishonorable, or (iii) is a discharged LGBT
45 veteran, as defined in section three hundred fifty of the executive law,
46 and has received a discharge other than bad conduct or dishonorable,
47 [~~having served as such during the time of war~~] and who has attained the
48 age of fifty years, may retire upon his own request upon written appli-
49 cation to the board setting forth at what time not less than thirty days
50 subsequent to the execution and filing thereof he desires to be retired,
51 provided that such member at the time so specified for his retirement
52 shall have completed at least twenty-five years of allowable service.
53 Upon retirement such member shall receive an annuity of equivalent actu-
54 arial value to his accumulated deductions, and, in addition, a pension
55 beginning immediately, having a value equal to the present value of the
56 pension that would have become payable had he continued at his current

1 salary to the age at which he would have first become eligible for
2 service retirement, provided, however, that the said member on making
3 application for retirement shall pay into the retirement fund a sum of
4 money which calculated on an actuarial basis, together with his prior
5 contributions and other accumulations in said fund then to his credit,
6 shall be sufficient to entitle the said member to the same annuity and
7 pension that he would have received had he remained in the service of
8 the city until he had attained the age at which he otherwise would have
9 first become eligible for service retirement.

10 Notwithstanding any other provision of this section or of any general,
11 special or local law or code to the contrary, a member of any such
12 teachers' retirement system who (i) is separated or discharged under
13 honorable conditions from any branch of the armed forces of the United
14 States, or (ii) has a qualifying condition, as defined in section three
15 hundred fifty of the executive law, and has received a discharge other
16 than bad conduct or dishonorable, or (iii) is a discharged LGBT veteran,
17 as defined in section three hundred fifty of the executive law, and has
18 received a discharge other than bad conduct or dishonorable, [~~having~~
19 ~~served as such during the time of war~~] and who has attained the age of
20 fifty years, may retire upon his own request upon written application to
21 the board setting forth at what time, not less than thirty days subse-
22 quent to the execution and filing thereof, he desires to be retired,
23 provided that such member at that time so specified for his retirement
24 shall have completed at least twenty-five years of allowable service.
25 Upon reaching his previously selected minimum retirement age, such
26 member shall receive an annuity of equivalent actuarial value, at that
27 time, to his accumulated deductions, and, in addition, a pension based
28 upon his credited years of allowable service, plus the pension-for-in-
29 creased-take-home-pay, if any. Should such member die before reaching
30 his retirement age, then any beneficiary under a selected option shall
31 be eligible for benefits under such option at the date upon which the
32 member would have reached his selected retirement age.

33 § 16. Section 246 of the military law, as amended by chapter 43 of the
34 laws of 1967, is amended to read as follows:

35 § 246. Leave of absence for public employees who are [~~war~~] veterans to
36 continue study. Notwithstanding the provisions of any law to the
37 contrary, every public officer and employee, who served in the armed
38 forces of the United States [~~on or after September sixteenth, nineteen~~
39 ~~hundred forty, and prior to the termination of hostilities in world war~~
40 ~~II, or during the period of hostilities engaged in by the armed forces~~
41 ~~of the United States on and after June twenty fifth, nineteen hundred~~
42 ~~fifty, or who served in the armed forces of the United States after~~
43 ~~January thirty first, nineteen hundred fifty five, and~~] who is eligible
44 under the provisions enacted by the congress of the United States known
45 as "Servicemen's Readjustment Act of nineteen hundred forty-four," or
46 "Veterans' Readjustment Assistance Act of nineteen hundred fifty-two,"
47 or "Veterans' Readjustment Benefits Act of nineteen hundred sixty-six,"
48 to continue the pursuit of studies or to take a refresher or retraining
49 course shall be granted a leave of absence from his position for the
50 period of such course of study, not to exceed four years. Such public
51 officer or employee shall be reinstated to his position provided he
52 makes application for such reinstatement within sixty days after the
53 termination of such course of study.

54 § 17. Section 13.19 of the parks, recreation and historic preservation
55 law, as amended by chapter 649 of the laws of 1977, is amended to read
56 as follows:

1 § 13.19 Free use of campsites. Notwithstanding the provisions of any
2 other law, any person who is blind, non-ambulatory, or an amputee or any
3 veteran [~~of the wars of the United States~~], who has at any time been
4 awarded by the federal government an allowance towards the purchase of
5 an automobile or is eligible for such an award shall be permitted to use
6 any of the public campsites, parks and other public places of recreation
7 in this state, upon the same terms and conditions as apply to the gener-
8 al public, but without the payment of any fees or other charges for the
9 use of such campsites, parks and other public places of recreation.

10 § 18. Paragraph (e) of subdivision 1 of section 458-a of the real
11 property tax law, as amended by chapter 490 of the laws of 2019, is
12 amended to read as follows:

13 (e) "Veteran" means a person (i) who served in the active military,
14 naval, or air service [~~during a period of war, or who was a recipient of~~
15 ~~the armed forces expeditionary medal, navy expeditionary medal, marine~~
16 ~~corps expeditionary medal, or global war on terrorism expeditionary~~
17 ~~medal,~~] and who (1) was discharged or released therefrom under honorable
18 conditions, or (2) has a qualifying condition, as defined in section
19 three hundred fifty of the executive law, and has received a discharge
20 other than bad conduct or dishonorable from such service, or (3) is a
21 discharged LGBT veteran, as defined in section three hundred fifty of
22 the executive law, and has received a discharge other than bad conduct
23 or dishonorable from such service, (ii) who was employed by the War
24 Shipping Administration or Office of Defense Transportation or their
25 agents as a merchant seaman documented by the United States Coast Guard
26 or Department of Commerce, or as a civil servant employed by the United
27 States Army Transport Service (later redesignated as the United States
28 Army Transportation Corps, Water Division) or the Naval Transportation
29 Service; and who served satisfactorily as a crew member during the peri-
30 od of armed conflict, December seventh, nineteen hundred forty-one, to
31 August fifteenth, nineteen hundred forty-five, aboard merchant vessels
32 in oceangoing, i.e., foreign, intercoastal, or coastwise service as such
33 terms are defined under federal law (46 USCA 10301 & 10501) and further
34 to include "near foreign" voyages between the United States and Canada,
35 Mexico, or the West Indies via ocean routes, or public vessels in ocean-
36 going service or foreign waters and who has received a Certificate of
37 Release or Discharge from Active Duty and a discharge certificate, or an
38 Honorable Service Certificate/Report of Casualty, from the department of
39 defense, (iii) who served as a United States civilian employed by the
40 American Field Service and served overseas under United States Armies
41 and United States Army Groups in world war II during the period of armed
42 conflict, December seventh, nineteen hundred forty-one through May
43 eighth, nineteen hundred forty-five, and who (1) was discharged or
44 released therefrom under honorable conditions, or (2) has a qualifying
45 condition, as defined in section three hundred fifty of the executive
46 law, and has received a discharge other than bad conduct or dishonorable
47 from such service, or (3) is a discharged LGBT veteran, as defined in
48 section three hundred fifty of the executive law, and has received a
49 discharge other than bad conduct or dishonorable from such service, (iv)
50 who served as a United States civilian Flight Crew and Aviation Ground
51 Support Employee of Pan American World Airways or one of its subsid-
52 iaries or its affiliates and served overseas as a result of Pan Ameri-
53 can's contract with Air Transport Command or Naval Air Transport Service
54 during the period of armed conflict, December fourteenth, nineteen
55 hundred forty-one through August fourteenth, nineteen hundred forty-
56 five, and who (1) was discharged or released therefrom under honorable

1 conditions, or (2) has a qualifying condition, as defined in section
2 three hundred fifty of the executive law, and has received a discharge
3 other than bad conduct or dishonorable from such service, or (3) is a
4 discharged LGBT veteran, as defined in section three hundred fifty of
5 the executive law, and has received a discharge other than bad conduct
6 or dishonorable from such service, or (v) notwithstanding any other
7 provision of law to the contrary, who are members of the reserve compo-
8 nents of the armed forces of the United States who (1) received an
9 honorable discharge or release therefrom under honorable conditions, or
10 (2) has a qualifying condition, as defined in section three hundred
11 fifty of the executive law, and has received a discharge other than bad
12 conduct or dishonorable from such service, or (3) is a discharged LGBT
13 veteran, as defined in section three hundred fifty of the executive law,
14 and has received a discharge other than bad conduct or dishonorable from
15 such service, but are still members of the reserve components of the
16 armed forces of the United States provided that such members meet all
17 other qualifications under the provisions of this section.

18 § 19. Subdivision 1 of section 168 of the social services law, as
19 amended by chapter 490 of the laws of 2019, is amended to read as
20 follows:

21 1. Veteran means a person, male or female, who has served in the armed
22 forces of the United States [~~in time of war~~], or who was a recipient of
23 the armed forces expeditionary medal, navy expeditionary medal or marine
24 corps expeditionary medal for participation in operations in Lebanon
25 from June first, nineteen hundred eighty-three to December first, nine-
26 teen hundred eighty-seven, in Grenada from October twenty-third, nine-
27 teen hundred eighty-three to November twenty-first, nineteen hundred
28 eighty-three, or in Panama from December twentieth, nineteen hundred
29 eighty-nine to January thirty-first, nineteen hundred ninety, and who
30 (1) has been honorably discharged or released under honorable circum-
31 stances from such service or furloughed to the reserve, or (2) has a
32 qualifying condition, as defined in section three hundred fifty of the
33 executive law, and has received a discharge other than bad conduct or
34 dishonorable from such service, or (3) is a discharged LGBT veteran, as
35 defined in section three hundred fifty of the executive law, and has
36 received a discharge other than bad conduct or dishonorable from such
37 service.

38 § 20. Subdivision 3 of section 404-a of the vehicle and traffic law,
39 as added by chapter 601 of the laws of 1987, is amended to read as
40 follows:

41 3. Registration of vehicles owned by severely disabled veterans. The
42 commissioner shall assign to such motor vehicles, including any vans or
43 pick-up trucks used for transporting handicapped veterans which are not
44 used for commercial purposes and which are owned by such veterans or a
45 not-for-profit corporation serving such veterans, a distinctive number
46 and issue and deliver in such manner as the commissioner may prescribe
47 to the owner a certification of registration, in such form as the
48 commissioner shall prescribe and two number plates, called disabled
49 veteran plates. Said severely disabled veteran plates shall conform to
50 the requirements of section four hundred one of this chapter, but shall
51 bear distinctive marks to distinguish them from number plates to be
52 issued to other persons, qualifying under this [~~chapter~~] article. The
53 commissioner in his discretion, may issue, for any registration year,
54 only one plate as a set for a motor vehicle, in which event a set of
55 severely disabled veteran plates for a motor vehicle shall consist of
56 one plate. Where a severely disabled veteran owns more than one vehicle

1 and such vehicle or vehicles is or are used by severely disabled members
2 of the owner's family who reside with the owner, the commissioner shall
3 issue one set of plates for each additional vehicle used by such severe-
4 ly disabled veteran, provided that such user qualifies as a severely
5 disabled veteran in the manner required by this section. For purposes of
6 this subdivision, the term "severely disabled veteran" shall mean any
7 member of the armed forces of the United States [~~who served in time of~~
8 ~~war, as defined in section eighty five of the civil service law, and~~]
9 whose disability qualifies him as a severely disabled person within the
10 meaning of such term as defined in subdivision four of this section.

11 § 21. Paragraphs f and g of subdivision 6 of section 54 of the work-
12 ers' compensation law, as amended by chapter 205 of the laws of 1993,
13 are amended to read as follows:

14 f. Notwithstanding the provisions of paragraph a of this subdivision
15 or any other provision of this chapter, any executive officer of a reli-
16 gious, charitable or educational corporation and the officers of a
17 municipal corporation, and officers of any post or chapter of organiza-
18 tions of veterans [~~of any war~~] of the United States may be brought with-
19 in the coverage of the insurance contract as if they were employees by
20 any such corporation filing with the insurance carrier, upon a form
21 prescribed by the chair of the workers' compensation board, a notice
22 that the corporation elects to bring one or more executive officers of
23 such corporation named in the notice within the coverage of this chap-
24 ter. Such election shall be effective with respect to all policies
25 issued to such corporation by such insurance carrier as long as it shall
26 continuously insure the corporation. If such election is revoked, it
27 shall be in writing on a form prescribed by the chair and filed with the
28 chair and with the insurance carrier and a copy thereof furnished to
29 each officer as to whom such revocation is applicable, upon a form
30 prescribed by the chair. Such revocation shall not be effective until
31 thirty days after such filing. The estimation of the wage values of
32 executive officers within the coverage of the insurance contract shall
33 be reasonable and separately stated and added to the valuation of the
34 payrolls upon which the premium is computed.

35 g. The executive officers brought within the coverage of the insurance
36 contract, and the dependents of any such executive officers, including
37 executive officers of religious, charitable or educational corporations
38 and officers of municipal corporations, and officers of any post or
39 chapter of organizations of veterans [~~of any war~~] of the United States
40 that have elected to bring their officers within the coverage of the
41 policy, shall have the same rights and remedies as any employee and
42 shall be entitled to compensation and medical care as provided by this
43 chapter, and the insurance carrier shall be liable therefor and for
44 payments into the special funds provided in this chapter as in the case
45 of an employee. The executive officers who may be brought within the
46 coverage of an insurance contract shall include an officer of a corpo-
47 ration who at all times during the period involved between them owns all
48 of the issued and outstanding stock of the corporation and holds all of
49 the offices pursuant to paragraph (e) of section seven hundred fifteen
50 of the business corporation law or two executive officers of a corpo-
51 ration who at all times during the period involved between them own all
52 of the issued and outstanding stock of such corporation and hold all
53 such offices and who is the executive officer or who are the executive
54 officers of a corporation that has no other persons who are employees
55 required to be covered under this chapter.

56 § 22. This act shall take effect immediately.