

# STATE OF NEW YORK

1504

2021-2022 Regular Sessions

## IN SENATE

January 12, 2021

Introduced by Sen. HOYLMAN -- 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 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:

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

3 § 104-B. Veteran exemption from fees.

4 (a) As used in this section, "veteran" shall mean a person who served  
5 in the United States army, navy, air force, marines, coast guard and/or  
6 reserves thereof, and/or in the army national guard, air national guard,  
7 New York guard, and/or New York naval militia and who (1) has received  
8 an honorable or general discharge from such service, or (2) has a quali-  
9 fying condition, as defined in section three hundred fifty of the execu-  
10 tive law, and has received a discharge other than bad conduct or  
11 dishonorable from such service, or (3) is a discharged LGBT veteran, as  
12 defined in section three hundred fifty of the executive law, and has  
13 received a discharge other than bad conduct or dishonorable from such  
14 service; and such person is a resident of the state of New York at the  
15 time undertaking an action subject to a fee pursuant to section one  
16 hundred four-A of this article.

17 (b) Notwithstanding any other provision of law, no veteran shall be  
18 required to pay the fees otherwise required by section one hundred  
19 four-A of this article within five years of (1) receiving an honorable  
20 or general discharge from military service, or (2) receiving confirma-  
21 tion from the division of veterans' services of a qualifying condition,  
22 or (3) receiving confirmation from the division of veterans' services of  
23 their status as a discharged LGBT veteran.

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

LBD03565-02-1

1 (c) Status as an eligible veteran pursuant to this section shall be  
2 documented pursuant to rules and regulations promulgated by the commis-  
3 sioner of the department of state.

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

6 § 104-B. Veteran exemption from fees.

7 (a) As used in this section, "veteran" shall mean a person who served  
8 in the United States army, navy, air force, marines, coast guard and/or  
9 reserves thereof, and/or in the army national guard, air national guard,  
10 New York guard, and/or New York naval militia and who (1) has received  
11 an honorable or general discharge from such service, or (2) has a quali-  
12 fying condition, as defined in section three hundred fifty of the execu-  
13 tive law, and has received a discharge other than bad conduct or  
14 dishonorable from such service, or (3) is a discharged LGBT veteran, as  
15 defined in section three hundred fifty of the executive law, and has  
16 received a discharge other than bad conduct or dishonorable from such  
17 service; and such person is a resident of the state of New York at the  
18 time undertaking an action subject to a fee pursuant to section one  
19 hundred four-A of this article.

20 (b) Notwithstanding any other provision of law, no veteran shall be  
21 required to pay the fees otherwise required by section one hundred  
22 four-A of this article within five years of (1) receiving an honorable  
23 or general discharge from military service, or (2) receiving confirma-  
24 tion from the division of veterans' services of a qualifying condition,  
25 or (3) receiving confirmation from the division of veterans' services of  
26 their status as a discharged LGBT veteran.

27 (c) Status as an eligible veteran pursuant to this section shall be  
28 documented pursuant to rules and regulations promulgated by the commis-  
29 sioner of the department of state.

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