

STATE OF NEW YORK

7526--A

2021-2022 Regular Sessions

IN SENATE

November 17, 2021

Introduced by Sens. BROOKS, HARCKHAM, REICHLIN-MELNICK -- read twice and ordered printed, and when printed to be committed to the Committee on Rules -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT in relation to constituting chapter 13 of the consolidated law, in relation to establishing the veterans' services law and the department of veterans' services; to amend the domestic relations law, the education law, the election law, the environmental conservation law, the executive law, the general municipal law, the labor law, the mental hygiene law, the not-for-profit corporation law, the public health law, the social services law, the state finance law, the defense emergency act of 1951, the administrative code of the city of New York, the New York city charter, the cannabis law, the state technology law, the county law, the economic development law, the correction law, the civil service law, the general business law, the general construction law, the highway law, the insurance law, the judiciary law, the military law, the public housing law, the public officers law, the private housing finance law, the real property tax law, the tax law, the town law, the vehicle and traffic law, and the workers' compensation law, in relation to replacing all instances of the term "division of veterans services" with the term "department of veterans' services" and to making related conforming technical changes; and to repeal certain provisions of the executive law relating to veterans' services and of the military law relating to certain awards and medals

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

- 1 Section 1. Articles 17, 17-A and 17-B of the executive law and subdi-
- 2 vision 1-c of section 247 of the military law are REPEALED.
- 3 § 2. Chapter 13 of the consolidated laws is enacted to read as
- 4 follows:

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

LBD13178-05-1

CHAPTER 13 OF THE CONSOLIDATED LAWS
VETERANS' SERVICES
ARTICLE 1

DEPARTMENT OF VETERANS' SERVICES

Section 1. Definitions.

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8. New York state supplemental burial allowance for members of the armed forces of the United States killed in combat or duty subject to hostile fire or imminent danger, as defined in 37 USC § 310.
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14. Local veterans' service agencies.
15. Powers and duties of local veterans' service agencies.
16. Location and cost of local veterans' service agencies; deputy local directors.
17. Local veterans' service committees.
18. Appropriations for expenses and activities of local veterans' service agencies.
19. Women veterans coordinator.
20. Creation of annuity.
21. Evidence of entitlement.
22. Persons who may receive annuity.
23. New York state veterans' cemeteries.
24. Veterans health screening.
25. Payment to parents of veterans.
26. Cremated remains of a veteran.
27. New York state silver rose veterans service certificate.

§ 1. Definitions. When used in this article:

1. The term "department" means the department of veterans' services.
2. The term "state commissioner" means the New York state commissioner of veterans' services.
3. The term "veteran" means a person, male or female, resident of this state, who has served in the active military or naval service of the United States during a 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.
4. The term "armed forces" means the military and naval forces of the United States.
5. The term "local director" means the director of a county or city veterans' service agency.
6. The term "county director" means a local director of a county veterans' service agency.
7. The term "city director" means a local director of a city veterans' service agency.

8. The term "qualifying condition" means a diagnosis of post-traumatic stress disorder or traumatic brain injury made by, or an experience of military sexual trauma, as described in 38 USC 1720D, as amended from time to time, disclosed to, an individual licensed to provide health care services at a United States Department of Veterans Affairs facility or an individual licensed to provide health care services within the state of New York. The department shall develop a standardized form used to confirm that the veteran has a qualifying condition under this subdivision.

9. The term "discharged LGBT veteran" means a veteran who was discharged less than honorably from military or naval service due to their sexual orientation or gender identity or expression, as those terms are defined in section two hundred ninety-two of the executive law, or statements, consensual sexual conduct, or consensual acts relating to sexual orientation, gender identity or expression, or the disclosure of such statements, conduct, or acts, that were prohibited by the military or naval service at the time of discharge. The department shall establish a consistent and uniform process to determine whether a veteran qualifies as a discharged LGBT veteran under this subdivision, including, at a minimum, standards for verifying a veteran's status as a discharged LGBT veteran, and a method of demonstrating eligibility as a discharged LGBT veteran.

§ 2. Department of veterans' services. There is hereby created a department of veterans' services. The head of such department shall be the New York state commissioner of veterans' services who shall be a veteran. He or she shall be appointed by the governor and shall hold office during his or her pleasure. Such state commissioner shall receive an annual salary to be fixed by the governor within the limitation provided by law. He or she shall also be entitled to receive his or her expenses actually and necessarily incurred by him or her in the performance of his or her duties. The state commissioner, with the approval of the governor, may establish such bureaus within the department as are necessary and appropriate to carrying out its functions and may consolidate or abolish such bureaus. The state commissioner may appoint such officers, consultants, clerks and other employees and agents as he or she may deem necessary, fix their compensation within the limitation provided by law, and prescribe their duties.

§ 3. Veterans' services commission. 1. There shall be in the department a veterans' services commission, which shall consist of the members and the ex officio members provided for in this section.

2. There shall be thirteen members of the commission who shall be veterans appointed by the governor, including two appointed on recommendation of the temporary president of the senate, one appointed on recommendation of the minority leader of the senate, two appointed on recommendation of the speaker of the assembly, and one appointed on recommendation of the minority leader of the assembly. The appointment of members made by the governor without recommendation shall be subject to advice and consent of the senate. The members of the commission shall serve for terms of three years each. Appointed members presently serving on the commission shall continue to serve for the remainder of the term appointed. Any member chosen to fill a vacancy of such an appointed member occurring otherwise than by expiration of term shall be appointed for the remainder of the unexpired term of the member whom he or she is to succeed. Members appointed as provided in this subdivision shall receive no salary or other compensation, but each shall be enti-

1 tled to receive expenses actually and necessarily incurred in the
2 performance of their duties.

3 3. Ex officio members. (a) The adjutant general of the state of New
4 York shall be an ex officio member of the commission.

5 (b) In addition, the state commissioner may appoint the head of any
6 other state agency or their designee as a non-voting, ex officio member
7 of the commission. Such appointments shall expire annually on December
8 thirty-first unless such appointments are renewed by the state commis-
9 sioner.

10 4. One of the members of the commission, which shall include the adju-
11 tant general, shall be designated as chairperson by the governor. The
12 designation shall be in writing and shall be filed with the commission.

13 5. The commission shall have power, and it shall be its duty, to
14 assist the state commissioner in the formulation of policies affecting
15 veterans and in the coordination of all operations of state agencies
16 relating to veterans' services.

17 § 4. General functions, powers and duties of department. The depart-
18 ment, by and through the state commissioner or his or her duly author-
19 ized officer or employee, shall have the following functions, powers and
20 duties:

21 1. To coordinate the program and activities of departments, divisions,
22 boards, bureaus, commissions or agencies of the state or of any poli-
23 tical subdivision of the state in providing services and facilities to
24 members of the armed forces and to veterans who are residents of this
25 state and their families.

26 2. To maintain liaison with other public officials and agencies
27 concerned with the development or execution of plans for members of the
28 armed forces and veterans who are residents of this state, and their
29 families, and to assist in the development and execution of such plans.

30 3. To establish, direct and supervise a state veterans' services agen-
31 cy; and to create or designate other agencies of the department to aid
32 and assist in the discharge of one or more of its functions, powers or
33 duties under this article, and grant authority to such agencies as may
34 be deemed necessary for the effective accomplishment of any of such
35 functions, powers or duties.

36 4. To operate and maintain counseling services, rest camps and other
37 agencies and institutions and to administer benefits and facilities for
38 members of the armed forces and veterans who are residents of this
39 state, and their families.

40 5. To provide seminars three times per year at locations throughout
41 the state to advise veterans and their surviving spouses, who are age
42 sixty-two or older, of veterans' benefits for which they may be eligible
43 from the state and federal governments, and the means of obtaining such
44 benefits.

45 6. To provide seminars three times per year at locations throughout
46 the state to advise women veterans of their benefits for which they may
47 be eligible from the state and federal governments, the means of obtain-
48 ing such benefits and other topics, including, but not limited to,
49 health care issues of specific interest to women veterans.

50 7. To provide in cooperation with the office of general services and
51 the office of the comptroller a series of seminars, that shall be
52 conducted four or more times per year at regional sites located through-
53 out the state of New York for the purpose of advising veteran-owned
54 businesses regarding the opportunities available for obtaining procure-
55 ment contracts from New York state agencies, municipalities, and author-
56 ities. Furthermore the seminars shall provide requirements and training

1 that will enable veteran-owned businesses to successfully participate in
2 the procurement process.

3 8. To execute and assist in the execution of plans for the efficient
4 utilization of the resources and facilities of the state in matters
5 related to members of the armed forces and veterans who are residents of
6 this state, and their families.

7 9. To make studies and analyses and develop and execute plans for
8 assistance and benefits to members of the armed forces and veterans who
9 are residents of this state, and their families, and the creation of
10 agencies, institutions and facilities therefor.

11 10. To prepare and submit a report, in consultation with the office of
12 temporary and disability assistance, department of labor, and office of
13 children and family services to determine the number of homeless persons
14 in New York state that are veterans. Such report shall include, but not
15 be limited to, the following information to the extent it is reasonably
16 accessible to the department: (a) an analysis of veterans in New York
17 state who are currently homeless, or have been homeless within five
18 years of being released from active duty including an analysis of gender
19 as it relates to homelessness of veterans; (b) data on the number of
20 children of homeless veterans, including the current placement of such
21 children; (c) cases of military sexual trauma experienced by homeless
22 veterans while on active duty or during military training, including a
23 breakdown of the collected data based upon the gender of the victim; and
24 (d) the unemployment rate for New York state veterans. The term "chil-
25 dren of homeless veterans" shall mean a person who is unmarried and who
26 is under the age of eighteen years, and is the biological or legally
27 adopted child of a veteran. The report shall be delivered to the gover-
28 nor, the speaker of the assembly and the temporary president of the
29 senate by June thirtieth, two thousand twenty and every three years
30 thereafter. Such report shall be publicly available and posted on the
31 department of veterans' services website.

32 11. To develop and encourage plans for the occupational reorientation
33 of veterans who are residents of this state, including the determination
34 and certification of civilian equivalents for military experience and
35 the development and encouragement of on-the-job training and apprentice-
36 ship training programs. Furthermore, the department shall provide an
37 internet connection to correlate military occupations and skills into
38 civilian translations and terms.

39 12. To provide information regarding resources that are available to
40 assist veterans in establishing and sustaining a small business by main-
41 taining a small business portal on the department's internet website.
42 Such portal shall provide virtual links to appropriate government
43 programs including, but not limited to the United States Department of
44 Veterans' Affairs. The department may consult with the New York State
45 Small Business Development Center and any other appropriate state agen-
46 cies. The department shall make reference to this information in its
47 newsletter, at the three seminars sponsored by the department pursuant
48 to subdivisions five, six, and seven of this section and the annual
49 report to the governor and the legislature as provided in subdivision
50 seventeen of this section. Such information required under this subdivi-
51 sion shall be maintained and updated annually. The information may also
52 be made available in printed form.

53 13. To provide information regarding resources that are available to
54 assist veterans in obtaining employment by maintaining a veterans'
55 employment portal on the department's internet website. Such portal
56 shall provide virtual links to appropriate governmental programs on the

1 federal and state level, including, but not limited to the United States
2 department of labor and the New York state department of labor. The
3 department may consult with members of the community devoted to helping
4 veterans obtain employment. The department shall make reference to this
5 information pursuant to subdivisions five, six, and seven of this
6 section and the annual report to the governor and the legislature as
7 provided in subdivision seventeen of this section. Such information
8 required under this subdivision shall be maintained and updated annual-
9 ly. The information may also be made available in printed form.

10 14. To adopt, promulgate, amend and rescind suitable rules and regu-
11 lations to carry out the provisions of this article.

12 15. To recommend to the legislature and the governor legislative
13 proposals for the benefit of members of the armed forces and veterans
14 who are residents of this state, and their families.

15 16. To exercise and perform such other functions, powers and duties as
16 may be deemed necessary to protect the interests and promote the welfare
17 of members of the armed forces and veterans who are residents of this
18 state, and their families.

19 17. To render each year to the governor and to the legislature a writ-
20 ten report of the activities and recommendations of the department.

21 18. (a) For the purpose of providing for the construction, establish-
22 ment, expansion, improvement, support, operation, maintenance and the
23 provision of perpetual care for state veterans' cemeteries, to seek
24 funding from, and make application for funding to:

25 (1) the government of the United States, including any agency or
26 public authority thereof;

27 (2) the government of the state of New York, including any agency or
28 public authority thereof;

29 (3) any political subdivision of the government of the state of New
30 York, including any agency or public authority thereof; or

31 (4) any private individual, corporation or foundation;

32 (b) Pursuant to section twenty-three of this article, to provide for
33 the construction, establishment, expansion, improvement, support, opera-
34 tion, maintenance and the provision of perpetual care for state veterans
35 cemeteries;

36 (c) To expend moneys from the veterans remembrance and cemetery main-
37 tenance and operation fund, established pursuant to section ninety-sev-
38 en-mmm of the state finance law; and

39 (d) To evaluate, monitor and otherwise oversee the operation of veter-
40 ans cemeteries in this state.

41 19. To make application to the government of the United States or any
42 political subdivision, agency or instrumentality thereof, for funds for
43 the purpose of providing an optional fund for the burial of veterans who
44 (i) were honorably discharged or (ii) had a qualifying condition, as
45 defined in section one of this article, and received a discharge other
46 than bad conduct or dishonorable, or (iii) were a discharged LGBT veter-
47 an, as defined in section one of this article, and received a discharge
48 other than bad conduct or dishonorable, in any not-for-profit cemetery
49 corporation in this state; provided, however, that all costs associated
50 with the establishment of such optional fund shall be borne by the poli-
51 tical subdivision, agency or instrumentality with which the department
52 has contracted.

53 20. To establish, operate and maintain a toll-free telephone number,
54 under the supervision of the state commissioner, for the purpose of
55 providing callers thereof with information relating to services provided
56 by the department as well as services and programs provided to veterans

1 by other agencies, bureaus and organizations. Such services and programs
2 shall include, but not be limited to, educational and job benefits,
3 tuition assistance programs, survivor benefits, health and mental health
4 referrals and real property tax exemptions.

5 21. To establish, operate and maintain a free mobile application,
6 under the supervision of the state commissioner, for the purposes of
7 providing veterans and their family members with information, available
8 on a region-specific basis, relating to services provided by the depart-
9 ment as well as services and programs provided to veterans by other
10 state agencies, the federal government, and other organizations. Such
11 services and programs shall include, but not be limited to educational
12 and job benefits, tuition assistance programs, survivor benefits, health
13 and mental health referrals, and real property tax exemptions. The
14 department's website shall contain a link to the free mobile applica-
15 tion.

16 22. To develop, jointly with the commissioner of education, a form by
17 which the parent or person in parental relation to a designated child
18 may, should he or she so elect, report to the department that a parent
19 of such child is a veteran of the armed forces who served in Vietnam
20 during the Vietnam conflict. This form shall: (i) clearly state that the
21 parent or person in parental relation is not required to provide the
22 information requested and that the information will have no bearing upon
23 the services the child will receive; (ii) state that the information
24 will be used exclusively for research purposes and explain those
25 research purposes in plain language; and (iii) provide the address to
26 which the form is to be mailed, should the parent or person in parental
27 relation elect to make such report. For the purposes of this subdivi-
28 sion, the term "designated child" shall mean a child designated by a
29 school district committee on special education pursuant to section
30 forty-four hundred two of the education law as either learning disabled
31 or emotionally disturbed.

32 23. To process all information received from nursing homes and resi-
33 dential health care facilities, including assisted living and assisted
34 living residences as defined in section forty-six hundred fifty-one of
35 the public health law, and adult care facilities authorized under title
36 two of article seven of the social services law, indicating veteran or
37 veteran spouse status. Such processing shall occur by transmitting such
38 information to state counselors for review and potential linkage to
39 applicable benefits, including but not limited to federal aid and
40 attendance and a federal improved pension program. State counselors
41 shall work with county counselors or any accredited service officers of
42 an organization chartered by the congress of the United States and/or
43 recognized by the department of veterans affairs for claim represen-
44 tation as necessary and where appropriate. Such information shall be
45 protected as personal confidential information under article six-A of
46 the public officers law against disclosure of confidential material, and
47 shall be used only to assist in providing linkage to applicable benefits
48 and entitlements under federal and state law.

49 24. To include within the annual report as required by subdivision
50 seventeen of this section an accounting of the number of forms received
51 from nursing homes and residential health care facilities, including
52 assisted living and assisted living residences as defined in section
53 forty-six hundred fifty-one of the public health law, and adult care
54 facilities authorized under title two of article seven of the social
55 services law, and the specific number of veterans and spouses of veter-
56 ans linked to applicable benefits, including, but not limited to federal

1 aid and attendance and a federal improved pension program. Such report
2 shall evaluate the average time taken by the department between receipt
3 of such information, transmission to veterans counselors and linkage to
4 available benefits. Such report shall also evaluate the effectiveness of
5 the program and make recommendations for improvements as necessary.

6 25. To encourage the development of and to provide for the establish-
7 ment of a state women veterans coordinator, as provided in section nine-
8 teen of this article.

9 26. To make available information on accident prevention courses
10 approved by the commissioner of motor vehicles online on the depart-
11 ment's website. The department shall provide a link to the department of
12 motor vehicles website pages containing information on the accident
13 prevention courses.

14 27. To provide information regarding resources that are available to
15 assist veterans who experience mental health or substance abuse prob-
16 lems, and veterans with physical disabilities, by maintaining mental
17 health, substance abuse and physical disabilities portals on the depart-
18 ment's internet website. Such portals shall provide virtual links to
19 appropriate governmental programs on the federal and state levels and
20 information on suicide prevention, peer outreach and support, and
21 services that address the special needs of physically disabled veterans.
22 The department may consult with the office of mental health, the office
23 of addiction services and supports, the department of health and the
24 department of labor. The department shall make reference to this infor-
25 mation provided pursuant to subdivisions five and six of this section
26 and in the annual report to the governor and the legislature required
27 pursuant to subdivision seventeen of this section. Such information
28 required under this subdivision shall be maintained and updated annual-
29 ly.

30 28. To include within the annual report as required by subdivision
31 seventeen of this section an accounting of the number of veteran-owned
32 small businesses in the state of New York, to be listed by the following
33 designations: small business concern owned and controlled by veterans as
34 set forth in 15 U.S.C. section 632(Q)(3), as amended from time to time,
35 and service disabled veteran-owned business enterprise as set forth in
36 article three of this chapter. Such listing shall include but not be
37 limited to the name of the veteran owner or owners of each business,
38 location of each such business, the type of each such business and when-
39 ever practicable, be divided into categories of labor, services, equip-
40 ment, materials and recognized construction trades. The department shall
41 request this information annually from the U.S. department of veterans
42 affairs, any other appropriate federal agencies and the department of
43 service-disabled veterans' business development within the New York
44 state office of general services.

45 29. To maintain a fact sheet on the department's webpage containing
46 (a) contact information for all veterans integrated service networks
47 located within the state, (b) current contact information for the United
48 States veterans health administration including VA medical centers and
49 clinics and (c) contact information for each New York State veterans'
50 home. The fact sheet shall be entitled, "Information for Veterans
51 concerning Health Care Options" and shall be updated annually.

52 30. To maintain a listing on the department's website of the local
53 veterans' service agencies established pursuant to section fourteen of
54 this article with the name, location, hours of operation and contact
55 information of each county and city veterans' service agency. The
56 department shall also provide this information in its annual report to

1 the governor and the legislature as required pursuant to subdivision
2 seventeen of this section. Information under this subdivision shall be
3 provided to the department by each local veterans' service agency and
4 shall be updated annually.

5 31. To maintain a discharge upgrade advisory board program within the
6 department to provide written non-binding advisory opinions to veterans
7 of the state of New York appealing their character of discharge from the
8 discharge review board or the board for corrections of military records
9 for their branch of service on the federal level. Individuals may
10 submit an application with evidence, including all relevant documents,
11 which shall be reviewed by the discharge upgrade advisory board program
12 in a timely manner. If such board finds the veteran's application for a
13 discharge upgrade is meritorious, then the board will provide the veter-
14 an with a written opinion advocating for the discharge review board or
15 board for corrections of military or naval records to grant that veter-
16 an's appeal. The department shall post information on the discharge
17 upgrade advisory board program on its official webpage. The annual
18 report required by subdivision seventeen of this section shall contain
19 information including, but not limited to, the number of cases reviewed,
20 and the number of cases where a veteran's application was found to be
21 meritorious.

22 32. To provide information regarding resources that are available to
23 assist veterans who experienced military sexual trauma while on active
24 duty or during military training, by maintaining a military sexual trau-
25 ma portal on the department's internet website. Such portal shall
26 provide virtual links to appropriate governmental programs on the feder-
27 al and state levels. The department may consult with the office of
28 mental health and the department of health. The department shall make
29 reference to this information provided pursuant to subdivisions five and
30 six of this section and in the annual report to the governor and the
31 legislature required pursuant to subdivision seventeen of this section.
32 Such information required under this subdivision shall be maintained and
33 updated annually.

34 33. To make widely available to the public via, among other things,
35 publication on the department's website and free mobile application
36 pursuant to subdivision twenty-one of this section, information regard-
37 ing the veterans remembrance and cemetery maintenance and operation fund
38 established pursuant to section ninety-seven-mmmm of the state finance
39 law.

40 34. To coordinate outreach efforts that ensure members of the armed
41 forces and veterans who are residents of this state, and their families,
42 are made aware of services for veterans from any departments, divisions,
43 boards, bureaus, commissions or agencies of the state or any political
44 subdivision of this state.

45 35. To develop collaborative relationships among state, federal, and
46 local agencies and private organizations, including but not limited to
47 the office of mental health, state office for the aging, and office of
48 addiction services and supports, to help facilitate access to services
49 by members of the armed forces and veterans who are residents of the
50 state and their families.

51 § 5. Veteran speaker education program. 1. There is hereby established
52 within the department a veteran speaker education program to be devel-
53 oped and implemented by the commissioner in consultation with the
54 commissioner of the New York state military museum and veterans resource
55 center and in accordance with the provisions of this section. Such
56 program shall provide school districts within this state with a listing

1 of available veteran speakers willing to visit classrooms for the
2 purpose of discussing their military experience.

3 2. The department, from its available resources, shall develop an
4 informational pamphlet to be distributed either by mail or electron-
5 ically to school districts which provides a general overview of the
6 program including its purpose and how to participate. The department
7 shall, in consultation with congressionally chartered veterans organiza-
8 tions and local veterans services agencies, appoint and create a listing
9 of veteran speakers coordinators for each county of the state who shall
10 be listed in the informational pamphlet. The veteran speakers coordina-
11 tors' duties shall include but not be limited to contacting veterans who
12 reside in their county including those who have participated in the
13 veteran's oral history program at the New York state military museum or
14 the West Point oral history project or the veterans history project of
15 the American Folklore Center or any similar oral history project with
16 information about this program and inquiring as to whether such persons
17 would be willing to participate as speakers or in any other capacity.
18 The listing shall include the names and contact information for such
19 veterans including information describing the type of military service
20 performed by each such person, the time and length of service, geograph-
21 ic area or areas where such person served and rank. The veteran speak-
22 ers coordinators shall annually update such information regarding the
23 availability of such veterans.

24 3. No teacher or veteran shall be required to participate in this
25 program. Any teacher who wishes to supplement his or her classroom
26 instruction concerning a particular era in American military history may
27 contact a participating veteran personally to request that such person
28 visit a classroom to discuss his or her military experience. A teacher
29 shall be responsible for ascertaining the appropriateness of any
30 proposed speaker based upon the age of the children and the intended
31 subject matter. Nothing in this section shall be intended to supersede
32 any particular or general school rules or regulations or other laws
33 relating to curriculum.

34 4. The department shall require a certified copy of the veteran's
35 discharge papers to participate in the veteran speaker program. Such
36 form shall be filed with the department to serve as evidence that such
37 person is a veteran who served in the United States military honorably.

38 5. The department shall implement a procedure for evaluations of each
39 speaker to be completed by teachers and students, and maintain such
40 evaluations and make them available upon request to other teachers who
41 plan to participate.

42 6. The department may consult with other veterans organizations and
43 any branch of the U.S. military in the development of this program.

44 § 6. Cooperation and facilities of other departments. To effectuate
45 the purposes of this article, the governor may direct any department,
46 division, board, bureau, commission or agency of the state, or of any
47 political subdivision thereof, to cooperate with and assist and advise
48 the department in the performance of its duties and functions, and to
49 provide such facilities, including personnel, materials and other
50 assistance and data as will enable the department or any of its agencies
51 to properly carry out its activities and effectuate its purposes under
52 this article.

53 § 7. Information on status of veterans receiving assistance. Depart-
54 ments, divisions, bureaus, boards, commissions and agencies of the state
55 and political subdivisions thereof, which provide assistance, treatment,
56 counseling, care, supervision or custody in service areas involving

1 health, mental health, family services, criminal justice or employment,
2 including but not limited to the office of addiction services and
3 supports, office of mental health, office of probation and correctional
4 alternatives, office of children and family services, office of tempo-
5 rary and disability assistance, department of health, department of
6 labor, local workforce investment boards, office for people with devel-
7 opmental disabilities, and department of corrections and community
8 supervision, shall request assisted persons to provide information with
9 regard to their veteran status and military experiences. Individuals
10 identifying themselves as veterans shall be advised that the department
11 of veterans' services and local veterans' service agencies established
12 pursuant to section fourteen of this article provide assistance to
13 veterans regarding benefits under federal and state law. Information
14 regarding veterans status and military service provided by assisted
15 persons solely to implement this section shall be protected as personal
16 confidential information under article six-A of the public officers law
17 against disclosure of confidential material, and used only to assist in
18 the diagnosis, treatment, assessment and handling of the veteran's prob-
19 lems within the agency requesting such information and in referring the
20 veteran to the department of veterans' services for information and
21 assistance with regard to benefits and entitlements under federal and
22 state law.

23 § 8. New York state supplemental burial allowance for members of the
24 armed forces of the United States killed in combat or duty subject to
25 hostile fire or imminent danger, as defined in 37 USC § 310. 1. As used
26 in this section, "parent" means a father, a mother, a father through
27 adoption, a mother through adoption, or an individual who, for a period
28 of not less than one year, at any time before the decedent's entry into
29 active military service stood in the relationship of a parent to a dece-
30 dent who died in combat or duty subject to hostile fire or imminent
31 danger, as defined in 37 USC § 310, or who died from a wound incurred in
32 combat or while serving on duty subject to hostile fire or imminent
33 danger, as defined in 37 USC § 310 or, if two persons stood in the
34 relationship of a parent for one year or more, the person who bore the
35 expenses of the funeral of the decedent.

36 2. As used in this section, (a) "wound" means a physical injury to a
37 servicemember on active duty caused by (i) a bullet, shrapnel, or other
38 projectile; (ii) a mine or trap; (iii) an explosion; (iv) a vehicle or
39 aircraft accident not caused by the servicemember's willful misconduct;
40 or (v) any other action caused or induced by the enemy directly result-
41 ing in physical harm to the servicemember.

42 (b) "burial receptacle" means (i) a casket, which shall mean a rigid
43 container that is designed for the encasement of human remains and
44 customarily ornamented and lined with fabric, (ii) an urn, which shall
45 mean a container of wood, metal, pottery, or other material designed for
46 the storage of cremated human remains, and/or (iii) an outer burial
47 receptacle, which shall mean a graveliner, burial vault, or other simi-
48 lar type of container for the placement of a casket or urn.

49 3. There is hereby established within the department a New York state
50 supplemental burial allowance for any member of the armed forces of the
51 United States who: (a) died in combat or duty subject to hostile fire or
52 imminent danger, as defined in 37 USC § 310 or died from a wound
53 incurred in combat or while serving on duty subject to hostile fire or
54 imminent danger, as defined in 37 USC § 310, other than the exceptions
55 noted in paragraphs (d), (e) and (f) of subdivision four of this
56 section, and (b) who was (i) a resident of New York state at the time of

1 his or her death or (ii) a nonresident of New York state at the time of
2 his or her death and a member of the New York Army National Guard or New
3 York Air National Guard at the time he or she entered title 10, United
4 States Code, federal active duty status during which period of service
5 he or she died.

6 4. (a) The purpose of the program is to administer and monitor a
7 supplemental allowance program to aid families of military personnel who
8 died in combat or duty subject to hostile fire or imminent danger, as
9 defined in 37 USC § 310, or died from a wound incurred in combat or duty
10 subject to hostile fire or imminent danger, as defined in 37 USC § 310,
11 with respect to expenses incurred in connection with the decedent's
12 funeral and the burial, burial receptacle, cremation, or other interment
13 of the decedent's remains.

14 (b) Eligible recipients under this program shall be those who bore the
15 cost of the decedent's funeral and burial, burial receptacle, cremation,
16 or other interment, in the following order of priority: (i) a surviving
17 spouse or domestic partner of the decedent; (ii) adult children of the
18 decedent, to include step-children and adopted children; (iii) parents
19 or grandparents of the decedent, and parents-in-law or grandparents-in-
20 law of the decedent; (iv) brothers or sisters of the decedent, to
21 include brothers or sisters adopted by the decedent's immediate family
22 and brothers or sisters with whom the decedent shares only one parent in
23 common, and brothers-in-law or sisters-in-law of the decedent; (v)
24 aunts, uncles, and first cousins of the decedent; and (vi) any other
25 relative. Any applicant convicted of making any false statement in the
26 application for the reimbursement shall be subject to the penalties
27 prescribed in the penal law.

28 (c) Such burial allowance is a partial reimbursement of an eligible
29 decedent's funeral and burial, burial receptacle, cremation or other
30 interment costs. The reimbursement is generally applicable to two compo-
31 nents: (i) funeral expenses, and (ii) expenses arising from the burial,
32 burial receptacle, cremation, or other interment of the decedent's
33 remains. Any allowance granted by the government of the United States,
34 pursuant to 38 U.S.C. §§2301, 2302, 2303, 2306, 2307 and 2308 or 10
35 U.S.C. § 1482, or by the decedent's state of residence in the case of an
36 allowance eligible pursuant to subparagraph (ii) of paragraph (b) of
37 subdivision three of this section, shall be first applied toward funeral
38 and burial, burial receptacle, cremation or other interment costs. The
39 state may award an allowance of up to six thousand dollars to cover any
40 remaining expenses.

41 (d) The state shall not award any funds from this allowance to reim-
42 burse any costs for the headstone, grave marker, or medallion of the
43 decedent.

44 (e) The state shall not grant supplemental burial allowance payments
45 for the funeral or the burial, burial receptacle, cremation, or other
46 interment of remains of any decedent whose relations received any
47 reimbursement from this allowance for any previous funeral or burial,
48 burial receptacle, cremation, or other interment of remains for this
49 same decedent.

50 (f) The state shall not grant supplemental burial allowance payments
51 for any person filing a completed application for such allowance with
52 the state later than: (i) two years after the applicant received final
53 written notice from the United States Department of Veterans Affairs
54 regarding an application for reimbursement of funeral or burial, burial
55 receptacle, cremation or other interment expenses pursuant to 38 U.S.C.
56 §§2301, 2302, 2303, 2306, 2307, or 2308, or 10 U.S.C. § 1482, or any

combination thereof; or (ii) two years after the expiration date of the filing deadline to apply for reimbursement of funeral, burial, burial receptacle, cremation or other interment expenses from the United States Department of Veterans Affairs, as defined in 38 U.S.C. § 2304, if the applicant never applied for reimbursement of funeral, burial, burial receptacle, cremation or interment expenses from the United States Department of Veterans Affairs. Any applications received subsequent to these prescribed periods shall be denied as time-barred.

(g) Applicants shall furnish evidence of the decedent's military service and relevant after action reports or other documents explaining why the application meets eligibility requirements for each case in the manner and form prescribed by the state commissioner or his or her designee. Upon being satisfied that the facts in the application are true, the state commissioner or his or her designee shall certify to the state comptroller the name and address of such recipient. The decision of the state commissioner or his or her designee on all matters regarding any payment from this allowance shall be final.

(h) The state commissioner shall submit a report to the governor, the chairperson of the senate finance committee, and the chairperson of the assembly ways and means committee not later than January fifteenth of each year in which this section is in effect. Such report shall include, but not be limited to, regulations promulgated pursuant to this section, allowances paid, and an account of the monies spent and the relationship of the distributees to the decedent.

§ 9. New York state veteran burial fund. 1. As used in this section, "agent in control of the disposition of remains" means the person responsible or designated to control the disposition of a deceased veteran's remains as defined and outlined in section forty-two hundred one of the public health law. The term "interment" means the disposition of remains as defined in paragraph (g) of section fifteen hundred two of the not-for-profit corporation law. The term "burial" shall include the process as defined in paragraph (e) of section fifteen hundred two of the not-for-profit corporation law.

2. As provided in subdivision nineteen of section four of this article, there is hereby established within the department a New York state veterans burial fund for honorably discharged members of the armed forces of the United States who were residents of New York state at the time of his or her death who (i) were honorably discharged from such service, or (ii) had a qualifying condition, as defined in section one of this article, and received a discharge other than bad conduct or dishonorable from such service, or (iii) were discharged LGBT veterans, as defined in section one of this article, and received a discharge other than bad conduct or dishonorable from such service.

(a) Eligible recipients under this program shall be those who bore the cost of the funeral as the agent in control of the disposition of remains. An application shall be made available to an eligible recipient. Any applicant convicted of making any false statement in the application for the reimbursement shall be subject to the penalties prescribed in the penal law.

(b) Such optional burial allowance is a reimbursement of an eligible decedent's burial and interment costs not to exceed two thousand five hundred dollars in a New York state not-for-profit cemetery. The reimbursement is generally available as a plot interment allowance. Any allowance granted by the government of the United States, pursuant to 38 U.S.C. §§ 2302, 2303, 2306, 2307 and 2308 or 10 U.S.C. § 1482 shall be first applied toward interment costs. An additional allowance of up to

1 the cost of the actual burial and interment as provided under subdivi-
2 sion nineteen of section four of this article may be awarded to cover
3 any remaining expenses.

4 (c) Evidence of the military service of the decedent for each case
5 shall be furnished in the manner and form prescribed by the state direc-
6 tor; upon being satisfied that the facts in the application are true,
7 the state commissioner shall certify to the state comptroller the name
8 and address of such agent in control of the disposition of remains for
9 reimbursement as provided in this section.

10 § 10. Time within which marriage may be solemnized; member of the
11 armed forces. Notwithstanding section thirteen-b of the domestic
12 relations law, where either of the parties making application for a
13 marriage license, pursuant to section thirteen of the domestic relations
14 law, is a member of the armed forces of the United States on active duty
15 the marriage of the parties shall not be solemnized within twenty-four
16 hours after the issuance of the marriage license, nor shall it be solem-
17 nized after one hundred eighty days from the date of the issuance of the
18 marriage license. Proof that the applicant is a member of the armed
19 forces of the United States shall be furnished to the satisfaction of
20 the official issuing the marriage license. Every license to marry issued
21 pursuant to the provisions of this section shall state the day and hour
22 the license is issued and shall contain a recital that it is issued
23 pursuant to the provisions of this section.

24 § 11. Use of personal confidential information obtained from veterans
25 or family members of veterans receiving services from the state and
26 political subdivisions thereof. 1. Departments, divisions, bureaus,
27 boards, commissions and agencies of the state and political subdivisions
28 thereof, which provide assistance, treatment, counseling, care, super-
29 vision or custody in service areas involving health, mental health,
30 family services, criminal justice or employment shall be required to
31 solicit information on whether their customer or client is a veteran as
32 defined in section eighty-five of the civil service law or family member
33 of a veteran. Any new forms created after the effective date of this
34 section shall contain the following questions: "Have you served in the
35 United States Armed Forces?" "Has someone in your family served in the
36 United States military?"

37 2. Individuals identifying themselves as having served in the military
38 or a family member shall be advised that the department of veterans'
39 services and local veterans service agencies established pursuant to
40 section seventeen of this article provide assistance to veterans regard-
41 ing benefits under federal and state law. Information regarding veterans
42 and military status provided by assisted persons solely to implement
43 this section shall be protected as personal confidential material, and
44 used only to assist in the diagnosis, treatment, assessment and handling
45 of the veteran's or family member's problems within the agency request-
46 ing such information and in referring the veteran or family member to
47 the department of veterans' services for the information and assistance
48 with regard to benefits and entitlements under federal and state law.

49 § 12. Acceptance of gifts. The department with the approval of the
50 governor, may accept any gift or grant for any of the purposes of this
51 article. Any moneys so received may be expended by the department to
52 effectuate any of the purposes of this article, subject to the same
53 limitations as to authorization, audit and approval as are prescribed
54 for state moneys appropriated for the purposes of this article.

55 § 13. State veterans' service agency. 1. A state veterans' service
56 agency established by the department pursuant to this article shall have

1 power and it shall be its duty to inform military and naval authorities
2 of the United States and assist members of the armed forces and veter-
3 ans, who are residents of this state, and their families, in relation to
4 (1) matters pertaining to educational training and retraining services
5 and facilities, (2) health, medical and rehabilitation services and
6 facilities, (3) provisions of federal, state and local laws and regu-
7 lations affording special rights and privileges to members of the armed
8 forces and war veterans and their families, (4) employment and re-em-
9 ployment services, and (5) other matters of similar, related or appro-
10 priate nature. The state veterans' service agency also shall perform
11 such other duties as may be assigned by the state commissioner.

12 2. The state commissioner may, with the approval of the governor,
13 appoint and remove a director of the state veterans' service agency. The
14 state commissioner may from time to time establish, alter or abolish
15 state veterans' service agency districts within the state, establish or
16 abolish offices therefor, and appoint and at pleasure remove a deputy
17 director of the state veterans' service agency for each such district
18 office. With the approval of the state commissioner, the director of the
19 veterans' service agency may appoint such officers, consultants, clerks
20 and other employees as may be necessary to administer the functions of
21 the state veterans' service agency, fix their compensation within the
22 limitation provided by law, and prescribe their duties.

23 § 14. Local veterans' service agencies. 1. County veterans' service
24 agencies. There shall be established a county veterans' service agency
25 in each county not wholly included within a city, and there shall be a
26 county director of each county veterans' service agency. Any county
27 director hired after the effective date of this chapter shall be a
28 veteran as defined in New York state statute. The chair of the board of
29 supervisors of a county, with the approval of the board of supervisors,
30 shall appoint and may at pleasure remove a county director of the county
31 veterans' service agency for such county. In a county having a county
32 president, a county executive or other chief executive officer, such
33 president or executive officer shall appoint and may at pleasure remove
34 a county director. The county director may be paid such compensation as
35 shall be fixed by the appointing officer and the board of supervisors.
36 The county director shall appoint such assistants and employees as he or
37 she may deem necessary, other than those, if any, supplied by the state;
38 he or she may prescribe the duties of those appointed by him or her and
39 fix their salaries within the appropriations made available for that
40 purpose by the county and may at pleasure remove any such assistants or
41 employees. The county director shall have jurisdiction throughout the
42 territorial limits of the county, including any city therein which does
43 not have a city veterans' service agency, provided that after the estab-
44 lishment of a city veterans' service agency in any such city, the county
45 director shall not have jurisdiction within such city.

46 2. City veterans' service agency. There may be established a city
47 veterans' service agency in each city; and there shall be a city direc-
48 tor of each city veterans' service agency which is established. The
49 mayor of such city, or the city manager in a city of less than one
50 hundred forty thousand population having a city manager, shall appoint
51 and may at pleasure remove the city director. A city director may be
52 paid such compensation as shall be fixed by the mayor or city manager,
53 as the case may be, empowered to appoint the city director, and the
54 governing body of the city. The city director may appoint such deputies,
55 assistants and employees as he or she may deem necessary other than
56 those, if any, supplied by the state; the director may prescribe the

1 duties of those appointed by him or her and fix their salaries within
2 the appropriations made available for that purpose by the city and may
3 at pleasure remove any such assistant or employee. A city director
4 shall have jurisdiction throughout the territorial limits of the city.

5 3. Accreditation. (a) Current county or city directors within three
6 years from the effective date of this subdivision shall take all steps
7 necessary to be accredited as a veterans service organization (VSO)
8 representative. Accreditation shall mean the authority granted by the
9 United States Department of Veterans Affairs to assist veterans and
10 their family members in the preparation, presentation, and prosecution
11 of claims for benefits pursuant to section 5902 of Title 38 U.S.C. and
12 section 14.628 of Title 38 Code of Federal Regulations. Once an appli-
13 cation for accreditation is approved by the General Counsel of the
14 United States Department of Veterans Affairs and the applicant is noti-
15 fied of this action, the director of the county or city veterans service
16 agency shall file a copy of the accreditation certificate from the
17 appropriate veterans service organization with the commissioner of the
18 department. Such accreditation shall be maintained during the duration
19 of his or her status as a commissioner of such county or city veterans
20 service agency. The commissioner of the department may determine that
21 satisfactory completion of a course or instruction on veterans' benefits
22 approved by the United States Department of Veterans Affairs and
23 conducted by the department may fulfill the requirements of this subdi-
24 vision.

25 (b) Any county or city director hired after the effective date of this
26 chapter shall take all steps necessary to be accredited as a veterans
27 service organization (VSO) representative within eighteen months of such
28 appointment. Accreditation shall mean the authority granted by the
29 United States Department of Veterans Affairs to assist veterans and
30 their family members in the preparation, presentation, and prosecution
31 of claims for benefits pursuant to section 5902 of Title 38 U.S.C. and
32 section 14.628 of Title 38 Code of Federal Regulations. Once an appli-
33 cation for accreditation is approved by the General Counsel of the
34 United States Department of Veterans Affairs and the applicant is noti-
35 fied of this action, the director of the county or city veterans service
36 agency shall file a copy of the accreditation certificate from the
37 appropriate veterans service organization with the commissioner of the
38 department. Such accreditation shall be maintained during the duration
39 of his or her status as a director of such county or city veterans
40 service agency. The commissioner of the department may determine that a
41 satisfactory completion of a course of instruction on veterans' benefits
42 approved by the United States Department of Veterans Affairs and
43 conducted by the department may fulfill the requirements of this subdi-
44 vision.

45 (c) During the time a director is working toward accreditation pursu-
46 ant to paragraphs (a) and (b) of this subdivision, such individual may
47 provide services to veterans and their family members as defined in
48 section fifteen of this article other than the preparation, presenta-
49 tion, and prosecution of claims for benefits under federal statutes and
50 regulations.

51 § 15. Powers and duties of local veterans' service agencies. 1. A
52 local veterans' service agency shall have power under the direction of
53 the state veterans' service agency, and it shall be its duty to inform
54 military and naval authorities of the United States and assist members
55 of the armed forces and veterans, who are residents of this state, and
56 their families, in relation to (1) matters pertaining to educational

1 training and retraining services and facilities, (2) health, medical and
2 rehabilitation services and facilities, (3) provisions of federal, state
3 and local laws and regulations affording special rights and privileges
4 to members of the armed forces and war veterans and their families, (4)
5 employment and re-employment services, (5) the process of submitting an
6 application for a discharge upgrade to the discharge upgrade advisory
7 board, and (6) other matters of similar, related or appropriate nature.
8 The local veterans' service agency may also assist families of members
9 of the reserve components of the armed forces and the organized militia
10 ordered into active duty to ensure that they are made aware of and are
11 receiving all appropriate support available to them and are placed in
12 contact with the agencies responsible for such support, including, but
13 not limited to, the division of military and naval affairs and other
14 state agencies responsible for providing such support. The local veter-
15 ans' service agency also shall perform such other duties as may be
16 assigned by the state commissioner.

17 2. A local veterans' service agency shall utilize, so far as possible,
18 the services and facilities of existing officers, offices, departments,
19 commissions, boards, bureaus, institutions and other agencies of the
20 state and of the political subdivisions thereof and all such officers
21 and agencies shall cooperate with and extend such services and facili-
22 ties to the local veterans' service agency as it may require.

23 § 16. Location and cost of local veterans' service agencies; deputy
24 local directors. 1. A local director shall designate the location of the
25 local and branch offices of the local veterans' service agency within
26 his or her jurisdiction, which offices shall be open during convenient
27 hours. The cost of maintenance and operation of a county veterans'
28 service agency shall be a county charge and the cost of maintenance and
29 operation of a city veterans' service agency shall be a city charge,
30 excepting that the state commissioner with the approval of the veterans'
31 services commission shall allot and pay, from state moneys made avail-
32 able to him or her for such purposes, to each county veterans' service
33 agency and each city veterans' service agency, an amount equal to fifty
34 per centum of its expenditures for maintenance and operation approved by
35 the state commissioner, provided that in no event shall the amount
36 allotted and paid for such approved expenditures incurred in any given
37 year exceed (1) in the case of any county veterans' service agency in a
38 county having a population of not more than one hundred thousand or in
39 the case of any city veterans' service agency in a city having a popu-
40 lation of not more than one hundred thousand, the sum of ten thousand
41 dollars, nor (2) in the case of any county veterans' service agency in a
42 county having a population in excess of one hundred thousand excluding
43 the population of any city therein which has a city veterans' service
44 agency, the sum of ten thousand dollars, and, in addition thereto, the
45 sum of five thousand dollars for each one hundred thousand, or major
46 portion thereof, of the population of the county in excess of one
47 hundred thousand excluding the population of any city therein which has
48 a city veterans' service agency, nor (3) in the case of any city veter-
49 ans' service agency in a city having a population in excess of one
50 hundred thousand, the sum of ten thousand dollars, and, in addition
51 thereto, the sum of five thousand dollars for each one hundred thousand,
52 or major portion thereof, of the population of the city in excess of one
53 hundred thousand. Such population shall be certified in the same manner
54 as provided by section fifty-four of the state finance law.

55 2. The head of a branch office of a local veterans' service agency
56 shall be a deputy local director of the local veterans' service agency

1 who shall be appointed by the local director of the county or city in
2 which the branch office is located with the approval of the governing
3 body which makes the appropriation for the maintenance of such branch
4 office; provided, however, that the head of a branch office of a local
5 veterans' service agency which operates in and for two or more adjoining
6 towns or adjoining villages in the same county, and hereinafter in this
7 article referred to as a consolidated branch office, shall be appointed
8 by the local director of the county in which the branch office is
9 located with the approval of the governing body of each town or village
10 which makes an appropriation for or toward the maintenance of such
11 branch office, and any town or village is authorized to enter into an
12 agreement with an adjoining town or an adjoining village in the same
13 county, respectively, or with two or more respective adjoining towns or
14 villages in the same county, providing for their joint undertaking to
15 appropriate and make available moneys for or toward the maintenance of
16 such a consolidated branch office.

17 § 17. Local veterans' service committees. The same authority which
18 appoints a local director shall appoint for each county and city veter-
19 ans' service agency a veterans' service committee to assist the local
20 director and shall appoint a chair thereof. Similar committees may be
21 appointed in each village and town where there is a deputy local direc-
22 tor by the mayor of such village and the supervisor of such town in
23 which the branch office of the deputy local director is located or in
24 which it operates. A similar committee may also be appointed in any city
25 in and for which there is not established a separate city veterans'
26 service agency, and in and for which there is a deputy local director
27 and a branch office of the county veterans' service agency; and such
28 appointment in any case shall be made by the city official authorized to
29 appoint a city director in the case of a separate city veterans' service
30 agency.

31 § 18. Appropriations for expenses and activities of local veterans'
32 service agencies. Each county and each city of the state in which is
33 established a county veterans' service agency or a city veterans'
34 service agency, as the case may be, is hereby authorized to appropriate
35 and make available to the veterans' service agency of such respective
36 county or city, such sums of money as it may deem necessary to defray
37 the expenses and activities of such agency, and the expenses and activ-
38 ities of such agencies are hereby declared to be proper county and city
39 purposes for which the moneys of the county or city may be expended.
40 Each city in and for which there is not established a separate city
41 veterans' service agency, and each village and town of the state is
42 hereby authorized to appropriate and make available to the deputy local
43 director heading the branch office in and for such city, village or
44 town, if any, of the county veterans' service agency having jurisdiction
45 within such city, village or town, such sums of money as it may deem
46 necessary to defray the salary, expenses and activities of the deputy
47 local director heading such branch office in and for such city, village
48 or town and his or her office, including the salaries of persons
49 employed in such office, and such salaries, expenses and activities are
50 hereby declared to be proper city, village and town purposes for which
51 the moneys of such cities, villages and towns may be expended. Each
52 village and town is also authorized to appropriate and make available to
53 the deputy local director heading the consolidated branch office, if
54 any, for such village or town and any adjoining village or villages, or
55 town or towns, as the case may be, of the county veterans' service agen-
56 cy having jurisdiction within such village or town, such sums of money

1 as it may determine to defray in part the salary, expenses and activ-
2 ities of the deputy local director heading such consolidated branch
3 office for such village or town and any adjoining village or villages or
4 town or towns, as the case may be, including the salaries of persons
5 employed in such consolidated branch office, and such salaries, expenses
6 and activities are hereby declared to be proper village and town
7 purposes for which the moneys of such villages and towns may be
8 expended.

9 § 19. Women veterans coordinator. 1. Definitions. (a) "Veteran" shall
10 have the same meaning as provided in subdivision one of section twenty-
11 two of this article.

12 (b) "Department" shall mean the state department of veterans'
13 services.

14 (c) "Women veterans coordinator" shall be a veteran.

15 2. Such women veterans coordinator shall be appointed by the commis-
16 sioner.

17 3. Establishment of women veterans coordinator. There is hereby estab-
18 lished within the department, a "women veterans coordinator" who shall
19 work under the direction of the commissioner and whose duties shall
20 include, but not be limited to, the:

21 (a) identification, development, planning, organization and coordi-
22 nation of all statewide programs and services to meet the needs of women
23 veterans;

24 (b) recommendation to the commissioner to ensure compliance with all
25 existing department policies and regulations pertaining to the needs of
26 women veterans on the state and federal level and make recommendations
27 regarding the improvement of benefits and services to women veterans;

28 (c) liaison between the department, the United States Department of
29 Veterans Affairs center for women veterans, the United States Department
30 of Veterans Affairs Advisory Committee on Women Veterans, state veterans
31 nursing homes, state agencies, community groups, advocates and other
32 veterans and military organizations and interested parties;

33 (d) advocating for all women veterans in the state;

34 (e) development and maintenance of a clearinghouse for information and
35 resources for women veterans;

36 (f) promote events and activities that recognize, educate and honor
37 women veterans, including but not limited to seminars required under
38 subdivision six of section four of this article, veteran human rights
39 conferences, veterans benefits and resources events, and veterans
40 cultural competence training;

41 (g) inclusion of the contributions women veterans have made on behalf
42 of the United States and this state on the department's official
43 website; and

44 (h) preparation of reports on topics including, but not limited to,
45 the demographics of women veterans, the number of women veterans listed
46 by county, and the unique needs of the women veterans population, to the
47 extent such information is available, to the commissioner on the status
48 of women veterans within New York state.

49 4. Reports. The women veterans coordinator shall submit a report to
50 the commissioner each year after the effective date of this section.
51 Such report shall include, but not be limited to, a description of the
52 women veterans coordinator's activities for the calendar year and the
53 programs developed pursuant to the provisions of this section. The
54 commissioner shall submit the report or a synopsis of the report to the
55 governor in accordance with the provisions of section four of this arti-
56 cle.

§ 20. Creation of annuity. 1. Payment to veterans. a. Any veteran as defined in this article who has been or is hereafter classified by the New York State commission for the visually handicapped as a blind person as defined in section three of chapter four hundred fifteen of the laws of nineteen hundred thirteen, as amended, and continues to be a blind person within the meaning of that section, shall, upon application to the commissioner of the department of veterans' services, be paid out of the treasury of the state for such term as such veteran shall be entitled thereto under the provisions of this article, the sum of one thousand dollars annually, plus any applicable annual adjustment, as provided in this section.

b. The entitlement of any veteran to receive the annuity herein provided shall terminate upon his or her ceasing to continue to be a resident of and domiciled in the state, but such entitlement may be reinstated upon application to the commissioner of veterans' services, if such veteran shall thereafter resume his or her residence and domicile in the state.

c. The effective date of an award of the annuity to a veteran shall be the date of receipt of the application therefor by the commissioner of veterans' services, except that if the application is denied but is granted at a later date upon an application for reconsideration based upon new evidence, the effective date of the award of the annuity to a veteran shall be the date of receipt of the application for reconsideration by the commissioner of veterans' services.

2. Payment to widows and widowers of blind veterans. a. The unremarried spouse of a veteran who heretofore has died or the unremarried spouse of a veteran dying hereafter, such veteran being at the time of her or his death a recipient of, or eligible for, the benefits above provided, shall, upon application to the commissioner of veterans' services, also be paid out of the treasury of the state the sum of one thousand dollars annually, plus any applicable annual adjustment, for such term as such unremarried spouse shall be entitled thereto under the provisions of this article.

b. The entitlement of any widow or widower to receive the annuity herein provided shall terminate upon her or his death or re-marriage or upon her or his ceasing to continue to be a resident of and domiciled in the state of New York, but such entitlement may be reinstated upon application to the commissioner of veterans' services, if such widow or widower shall thereafter resume her or his residence and domicile in the state.

c. The effective date of an award of the annuity to a widow or widower shall be the day after the date of death of the veteran if the application therefor is received within one year from such date of death. If the application is received after the expiration of the first year following the date of the death of the veteran, the effective date of an award of the annuity to a widow or widower shall be the date of receipt of the application by the commissioner of veterans' services. If an application is denied but is granted at a later date upon an application for reconsideration based upon new evidence, the effective date of the award of the annuity to a widow or widower shall be the date of receipt of the application for reconsideration by the commissioner of veterans' services.

3. Annual adjustment. Commencing in the year two thousand five, and for each year thereafter, the amount of any annuity payable under this section shall be the same amount as the annuity payable in the preceding year plus a percentage adjustment equal to the annual percentage

1 increase, if any, for compensation and pension benefits administered by
2 the United States Department of Veterans' Affairs in the previous year.
3 Such percentage increase shall be rounded up to the next highest one-
4 tenth of one percent and shall not be less than one percent nor more
5 than four percent. Commencing in the year two thousand five, the direc-
6 tor of veterans' services, not later than February first of each year,
7 shall publish by any reasonable means the amount of the annuity as
8 adjusted payable under this section.

9 § 21. Evidence of entitlement. 1. The evidence of such service, blind-
10 ness, residence and domicile, or of such marriage, widowhood, residence
11 and domicile in each case shall be furnished in the manner and form
12 prescribed by the commissioner of veterans' services who shall examine
13 the same.

14 2. Upon being satisfied that such service was performed, that other
15 facts and statements in the application of such veteran or widow or
16 widower are true and that the said veteran has been classified by the
17 New York state commission for the visually handicapped as a blind
18 person, where such veteran is not receiving or not entitled to receive a
19 benefit from any existing retirement system to which the state is a
20 contributor, unless such veteran shall have become disabled by reason of
21 loss of sight, while engaged in employment entitling him or her to
22 receive a benefit from any existing retirement system to which the state
23 is a contributor, and as a result of such disability has retired from
24 such employment and is receiving or is entitled to receive a benefit
25 from such retirement system the commissioner of veterans' services shall
26 certify to the state comptroller the name and address of such veteran or
27 widow or widower.

28 3. Thereafter the department of taxation and finance, through the
29 division of finance, on the audit and warrant of the comptroller, shall
30 pay such veteran or widow or widower such sum as is authorized by the
31 provisions of this article in monthly installments for so long as such
32 veteran or widow or widower shall meet the requirements of this article.

33 § 22. Persons who may receive annuity. 1. a. The word "veteran," as
34 used in this article shall be taken to mean and include any person who
35 is a resident of the state of New York, and who (i) has been or may be
36 given an honorable, general or ordinary discharge or any other form of
37 release from such service, except a dishonorable discharge, a bad
38 conduct discharge, an undesirable discharge, a discharge without honor
39 or a discharge for the good of the service, or (ii) has a qualifying
40 condition, as defined in section one of this article, and has received a
41 discharge other than bad conduct or dishonorable from such service, or
42 (iii) is a discharged LGBT veteran, as defined in section one of this
43 article, and has received a discharge other than bad conduct or
44 dishonorable from such service, and who (iv) was a recipient of the
45 armed forces expeditionary medal, the navy expeditionary medal or the
46 marine corps expeditionary medal for participation in operations in
47 Lebanon from June first, nineteen hundred eighty-three to December
48 first, nineteen hundred eighty-seven, in Grenada from October twenty-
49 third, nineteen hundred eighty-three to November twenty-first, nineteen
50 hundred eighty-three, or in Panama from December twentieth, nineteen
51 hundred eighty-nine to January thirty-first, nineteen hundred ninety, or
52 (v) served on active duty for ninety days or more in the armed forces of
53 the United States during any one of the following wars or hostilities:

54 (1) in the Spanish-American war from the twenty-first day of April,
55 eighteen hundred ninety-eight to the eleventh day of April, eighteen
56 hundred ninety-nine, inclusive;

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

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

(4) in World War I from the sixth day of April, nineteen hundred seventeen to the eleventh day of November, nineteen hundred eighteen, inclusive;

(5) in World War II from the seventh day of December, nineteen hundred forty-one to the thirty-first day of December, nineteen hundred forty-six, inclusive, or who was employed by the War Shipping Administration or Office of Defense Transportation or their agents as a merchant seaman documented by the United States Coast Guard or Department of Commerce, or as a civil servant employed by the United States Army Transport Service (later redesignated as the United States Army Transportation Corps, Water Division) or the Naval Transportation Service; and who served satisfactorily as a crew member during the period of armed conflict, December seventh, nineteen hundred forty-one, to August fifteenth, nineteen hundred forty-five, aboard merchant vessels in oceangoing, i.e., foreign, intercoastal, or coastwise service as such terms are defined under federal law (46 USCA 10301 & 10501) and further to include "near foreign" voyages between the United States and Canada, Mexico, or the West Indies via ocean routes, or public vessels in ocean-going service or foreign waters and who has received a Certificate of Release or Discharge from Active Duty and a discharge certificate, or an Honorable Service Certificate/Report of Casualty, from the Department of Defense, or who served as a United States civilian employed by the American Field Service and served overseas under United States Armies and United States Army Groups in World War II during the period of armed conflict, December seventh, nineteen hundred forty-one through May eighth, nineteen hundred forty-five, and who (i) was discharged or released therefrom under honorable conditions, or (ii) has a qualifying condition, as defined in section one of this article, and has received a discharge other than bad conduct or dishonorable from such service, or (iii) is a discharged LGBT veteran, as defined in section one of this article, and has received a discharge other than bad conduct or dishonorable from such service, or who served as a United States civilian Flight Crew and Aviation Ground Support Employee of Pan American World Airways or one of its subsidiaries or its affiliates and served overseas as a result of Pan American's contract with Air Transport Command or Naval Air Transport Service during the period of armed conflict, December fourteenth, nineteen hundred forty-one through August fourteenth, nineteen hundred forty-five, and who (iv) was discharged or released therefrom under honorable conditions, or (v) has a qualifying condition, as defined in section one of this article, and has received a discharge other than bad conduct or dishonorable from such service, or (vi) is a discharged LGBT veteran, as defined in section one 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 twenty-eighth day of February, nineteen hundred sixty-one 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.

2. No annuity shall be paid under this article to or for a person who is in prison in a federal, state or local penal institution as a result of conviction of a felony or misdemeanor for any part of the period beginning sixty-one days after his or her imprisonment begins and ending when his or her imprisonment ends.

3. Where any veteran is disqualified for the annuity for any period solely by reason of the provisions of subdivision two of this section, the commissioner of veterans' services shall pay to his or her spouse, if any, the annuity which such veteran would receive for that period but for said subdivision two.

4. In case an unmarried, divorced or widowed veteran or a widow of a deceased annuitant is being furnished hospital treatment, institutional or domiciliary care by the United States or the state, the annuity payable under this article to such veteran or widow or widower may be discontinued after the first day of the seventh calendar month following the month of admission of such veteran or widow for treatment or care. Payment of such annuity shall be resumed if such veteran or widow or widower is discharged from the hospital, institution or home, or if his or her treatment or care therein is otherwise terminated.

5. Where payment of the annuity as hereinbefore authorized is to be made to a mentally incompetent person or a conservatee, such payment may be authorized by the commissioner of veterans' services of the state to be paid only to a duly qualified court-appointed committee or conservator, legally vested with the care of such incompetent's person or property or of such conservatee's property, except that in the case of an incompetent annuitant for whom a committee has not been appointed or a person under a substantial impairment for whom a conservator has not been appointed and who is hospitalized in a United States veterans health administration hospital or in a hospital under the jurisdiction of the state of New York, the commissioner of veterans' services of the state may in his or her discretion certify payment of the annuity, as hereinbefore authorized, to the manager of such United States veterans health administration hospital or to the commissioner of such state hospital for the account of the said incompetent or substantially impaired annuitant.

§ 23. New York state veterans' cemeteries. 1. Legislative intent. The legislature finds and determines that the devoted service and sacrifice of veterans deserve important, unique and eternal recognition by the state of New York. That it is by means of the devoted service and sacrifice of veterans that the liberty, freedom and prosperity enjoyed by all New Yorkers is maintained and preserved.

1 The legislature further finds and determines that to provide this
2 important, unique and eternal recognition, the state shall establish a
3 program of New York state veterans' cemeteries in New York. Such program
4 shall provide for the construction, establishment, expansion, improve-
5 ment, support, operation, maintenance and the provision of perpetual
6 care for state veterans' cemeteries in this state, and thereby for the
7 memorialization and remembrance of individual veterans and their service
8 to their community, state and nation.

9 The legislature additionally finds and determines that it is therefore
10 necessary to provide for the construction and establishment of one or
11 more New York state veterans' cemeteries, and that to thereafter,
12 provide for the expansion, improvement, support, operation, maintenance
13 and the provision of perpetual care of all such cemeteries so
14 constructed and established. The legislature also finds and determines
15 that it is appropriate to have the responsibility for the construction,
16 establishment, expansion, improvement, support, operation, maintenance
17 and the provision of perpetual care for veterans' cemeteries in this
18 state, to be under the oversight and direction of the state department
19 of veterans' services, and its commissioner, individually, and as chair
20 of the management board, for each such veterans' cemetery so constructed
21 and established.

22 2. The establishment of the first New York state veterans' cemetery.
23 (a) The commissioner shall issue, on behalf of the department, a public
24 request for information for any local government desiring to have the
25 first state veterans' cemetery located within its political subdivision.
26 Such request shall specify the type of information to be provided,
27 including, at a minimum, a detailed map of the site including potential
28 transportation routes, the history of the site, the types of burials the
29 site could accommodate, and the estimated number of veterans within a
30 seventy-five mile radius of the site. Such requests for information
31 shall be returnable to the department by no later than sixty days
32 following the issuance of the requests for information. Requests for
33 information issued by and returned to the department shall be publicly
34 available and posted on the department's website.

35 (a-1) Following the deadline for the return of requests for informa-
36 tion pursuant to paragraph (a) of this subdivision, the department, in
37 cooperation with the United States Department of Veterans Affairs, and
38 in consultation with, and upon the support of the department of state
39 division of cemeteries, is hereby directed to conduct an investigation
40 and study on the issue of the construction and establishment of the
41 first New York state veterans' cemetery. Such investigation and study
42 shall include, but not be limited to:

43 (i) Potential site locations for such cemetery, with full consider-
44 ation as to the needs of the veterans population; only locations within
45 local governments that have submitted a request for information pursuant
46 to paragraph (a) of this subdivision shall be considered and each such
47 submission shall be considered;

48 (ii) The size of the cemetery and types of grave sites;

49 (iii) The number of annual interments at the cemetery;

50 (iv) Transportation accessibility to the cemetery by veterans, their
51 families and the general public;

52 (v) Costs for construction of the cemetery;

53 (vi) Costs of operation of the cemetery, including but not limited to
54 staffing costs to maintain the cemetery;

55 (vii) Scalability of the cemetery for future growth and expansion;

(viii) Potential for funding for the cemetery from federal, local and private sources;

(ix) Cost of maintenance;

(x) Data on the population that would be served by the site;

(xi) The average age of the population in the area covered;

(xii) The mortality rate of the veteran population for the area;

(xiii) Surrounding land use;

(xiv) Topography of the land;

(xv) Site characteristics;

(xvi) Cost of land acquisition;

(xvii) The location of existing cemeteries including but not limited to national veterans' cemeteries, county veterans' cemeteries, cemeteries that have plots devoted to veterans, not-for-profit cemeteries and any other burial ground devoted to veterans and any other type of burial grounds devoted to the interment of human remains that is of public record; and

(xviii) Such other and further items as the commissioner of the department deems necessary for the first state veterans' cemetery to be successful.

A report of the investigation and study conclusions shall be delivered to the governor, the temporary president of the senate, the speaker of the assembly and the chair of the senate committee on veterans, homeland security and military affairs, and the chair of the assembly committee on veterans' affairs by no later than one hundred eighty days after the department has commenced the conduct of the investigation and study.

(a-2) Upon the completion of the investigation and study, the results shall be provided to the selection committee. The selection committee shall consist of nine members as follows:

(i) The commissioner of the department of veterans' services, or his or her representative;

(ii) The director of the division of the budget, or his or her representative;

(iii) Three members appointed by the governor, two of whom shall be veterans;

(iv) Two members appointed by the temporary president of the senate, at least one of whom shall be a veteran; and

(v) Two members appointed by the speaker of the assembly, at least one of whom shall be a veteran.

(a-3) The selection committee shall be subject to articles six and seven of the public officers law. The selection committee shall evaluate the results of the study and, upon a majority vote, make a determination as to the location of the first state veterans' cemetery. In making this determination, the committee's consideration shall, at a minimum, include:

(i) The findings established by the study;

(ii) The submitted responses to the requests for information issued pursuant to paragraph (a) of this subdivision;

(iii) The guidelines for receipt of federal funding specified in 38 USC 2408, 38 CFR 39, and any other relevant federal statute or regulation;

(iv) The possibility of funding from private individuals, corporations, or foundations; and

(v) Any other consideration that would facilitate the successful operation of the first state veterans' cemetery.

(b) The commissioner of the department, the commissioner of the office of general services, and the chair of the division of cemeteries shall

1 determine the amount of money necessary to fund the non-reimbursable
2 costs of a state veterans' cemetery, such as operation and maintenance,
3 for a period of not less than ten years, provided that such amount shall
4 not include monies that would be recoverable by the cemetery pursuant to
5 a charge of fee for the provision of a gravesite for a non-veteran
6 spouse or eligible dependent. Prior to submitting any application for
7 funding from the government of the United States in accordance with the
8 grant requirements specified in 38 USC 2408, 38 CFR 30, and other rele-
9 vant federal statutes or regulations, for the purpose of seeking funds
10 to support the construction, establishment, expansion, improvement,
11 support, operation or maintenance of New York state's veterans' ceme-
12 teries, the director of the division of the budget and the office of the
13 state comptroller must certify to the governor, the temporary president
14 of the senate, the speaker of the assembly, the chair of the senate
15 finance committee and the chair of the assembly ways and means committee
16 that there are sufficient funds to cover such amount; provided further
17 that such moneys may include the veterans remembrance and cemetery main-
18 tenance and operation fund created pursuant to section ninety-seven-mmm
19 of the state finance law. In making such a certification, the director
20 of the division of the budget and the office of the state comptroller
21 shall consider, but are not limited to, the following factors:

22 (i) physical attributes of the veterans cemetery, including size,
23 location, and terrain;

24 (ii) staffing costs, cost of equipment and equipment maintenance, and
25 security costs;

26 (iii) relevant state and federal requirements and specifications for
27 interment and perpetual care;

28 (iv) estimates provided by the United States Department of Veterans
29 Affairs;

30 (v) any other non-reimbursable fiscal cost, charge or assessment that
31 would be incurred by the cemetery.

32 (c) Once the certification that there are sufficient funds pursuant to
33 paragraph (b) of this subdivision has been made, and no later than thirty
34 days following the selection of the site pursuant to paragraph (a-3)
35 of this subdivision, the commissioner, in consultation with the manage-
36 ment board of the first New York state veterans' cemetery, shall
37 commence the application process for funding from the government of the
38 United States, in accordance with the grant requirements specified in
39 section 2408 of title 38 of the United States code, part 39 of title 38
40 of the code of federal regulations, and any other relevant federal stat-
41 ute or regulation, for the purpose of seeking funds to support the
42 construction, establishment, expansion, improvement, support, operation,
43 maintenance and the provision of perpetual care of New York state's
44 first veterans' cemetery. Such grant application shall be based on a
45 site selected pursuant to paragraph (a-3) of this subdivision, and shall
46 be consistent with the guidelines for receipt of federal funding pursu-
47 ant to the relevant provisions of federal law.

48 (d) A management board for the first New York state veterans' cemetery
49 shall be appointed pursuant to subdivision three of this section.

50 (e) The commissioner shall promulgate rules and regulations governing:

51 (i) The guidelines and standards for the construction, establishment,
52 expansion, improvement, support, operation, maintenance and the
53 provision of perpetual care for a state veterans' cemetery. Such guide-
54 lines shall include, but not be limited to:

55 (1) The size and terrain of the cemetery;

1 (2) The management and operation of the cemetery, including but not
2 limited to:

3 (A) Hours of operation;

4 (B) Employees, employee relations, and employee duties;

5 (C) The conduct and practice of events, ceremonies and programs;

6 (D) The filing and compliance of the cemetery with state and federal
7 regulators; and

8 (E) Such other and further operational and management practices and
9 procedures as the commissioner shall determine to be necessary for the
10 successful operation of a state veterans' cemetery.

11 (3) The layout of plots;

12 (4) The locations of building and infrastructure, including but not
13 limited to:

14 (A) Electrical lines and facilities;

15 (B) Waterlines, irrigation systems, and drainage facilities;

16 (C) Trees, flowers and other plantings;

17 (D) Non gravesite memorials, gravesite memorials, mausoleums, colum-
18 barium niches, headstones, grave markers, indoor interment facilities,
19 committal-service shelters, signage, flag poles, and other memorial
20 gathering spaces or infrastructure;

21 (E) Roadways, pedestrian pathways, parking sites, curbs and curb cuts;

22 (F) Ponds, lakes and other water sites;

23 (G) Retaining walls, gates, fences, security systems or other devices
24 for cemetery protection; and

25 (H) Any other buildings, structures or infrastructure necessary for
26 the safe, efficient and effective operation of the cemetery;

27 (5) The qualifications for interment, consistent with the provisions
28 of state and federal law and any requirements pursuant to the receipt of
29 federal, state, local or private funds;

30 (6) The location and placement of interments;

31 (7) Consistent with the provisions of state and federal law and any
32 requirements pursuant to the receipt of federal, state, local or private
33 funds, the financial management of the cemetery, including but not
34 limited to:

35 (A) The procedures for the protection and implementation of the ceme-
36 tery's annual budget;

37 (B) The seeking, collecting, deposit and expenditure of operating
38 funds pursuant to the cemetery's budget;

39 (C) The seeking, collecting, deposit and expenditure of capital funds
40 pursuant to the cemetery's capital plan;

41 (D) The seeking, collecting, deposit and expenditure of emergency
42 funds to address an unexpected event;

43 (E) The assessment, charging, collection and deposit of fees and
44 charges;

45 (F) The management of cemetery finances, both current and future, with
46 respect to investments; and

47 (G) Such other and further procedures and activities concerning the
48 financial management of the cemetery;

49 (8) The provision of perpetual care for the cemetery, including but
50 not limited to:

51 (A) The frequency, standards and methods for the beautification and
52 maintenance of grounds, memorials, gravesites, buildings, ceremonial
53 sites, or other locations within, or upon the curtilage of the cemetery;

54 (B) The frequency, standards and methods for the provision of flags,
55 patriotic and military symbols, and other honorary items, at each
56 gravesite and throughout the cemetery; and

1 (C) Such other and further standards as are necessary to assure the
2 proper perpetual care of the cemetery in a manner befitting the highest
3 level of honor and respect deserving to those veterans and their fami-
4 lies interred in the cemetery;

5 (9) Guidelines and standards for the procurement of land for the ceme-
6 tery providing that the state veterans' cemetery, and all the property
7 upon which it resides shall be owned in fee simple absolute by the state
8 of New York;

9 (10) Guidelines and standards for the practices and procedures for the
10 construction and establishment of a state veterans' cemetery, including
11 contracting and purchasing for construction services, professional
12 services, legal services, architectural services, consulting services,
13 as well as the procurement of materials, all consistent with the rele-
14 vant provisions of federal, state and local law, the regulations promul-
15 gated thereunder, and the requirements contained in the grants awarded
16 or pursued from the federal government, or any source of private fund-
17 ing;

18 (11) Guidelines and standards for the practices and procedures for the
19 expansion and improvement of a state veterans' cemetery, including
20 contracting and purchasing for construction services, professional
21 services, legal services, architectural services, consulting services,
22 as well as the procurement of materials, all consistent with the rele-
23 vant provisions of federal, state and local law, the regulations promul-
24 gated thereunder, and the requirements contained in the grants awarded
25 or pursued from the federal government, or any source of private fund-
26 ing;

27 (12) Any other guidelines and standards that would facilitate the
28 successful construction, establishment, expansion, improvement, support,
29 operation, maintenance and the provision of perpetual care for the state
30 veterans' cemetery;

31 (ii) Guidelines and standards for any local government desiring to
32 have the first state veterans' cemetery located within its political
33 subdivision, including, but not limited to:

34 (1) The requirement that the local government will comply with all
35 state and federal statutes and regulations concerning the construction,
36 establishment, expansion, improvement, support, operation, maintenance
37 and the provision of perpetual care of the state veterans' cemetery, and
38 shall satisfy any and all applicable state and federal standards and
39 requirements for the perpetual care of the state veterans' cemetery;

40 (2) That the state veterans' cemetery, and all the property upon which
41 it resides shall be owned in fee simple absolute by the state of New
42 York;

43 (3) That all lands upon which such cemetery is constructed and estab-
44 lished shall be used solely for state veterans' cemetery purposes, and
45 for the purpose of providing the honor and remembrance of veterans and
46 their service through ceremonies and programs;

47 (4) Such other and further requirements as the commissioner may deem
48 prudent in the facilitation of the successful siting and operation of a
49 state veterans' cemetery in the jurisdiction of the local government;
50 and

51 (iii) Such other and further guidelines and standards as are necessary
52 for the successful construction, establishment, expansion, improvement,
53 support, operation, maintenance and the provision of perpetual care for
54 a state veterans' cemetery.

55 (f) Upon the approval of the application for funding from the govern-
56 ment of the United States, made pursuant to paragraph (c) of this subdi-

1 vision, the commissioner, upon consultation with the management board,
2 shall commence the process of construction and establishment of the
3 first state veterans' cemetery. Such process shall be consistent with
4 the relevant provisions of local, state and federal law, and the rules
5 and regulations established pursuant to paragraph (e) of this subdivi-
6 sion.

7 3. Management boards of New York state veterans' cemeteries. (a) For
8 each New York state veterans' cemetery there shall be a management
9 board. Each such management board shall consist of nine members, includ-
10 ing the commissioner of the department who shall serve as chair, and
11 four members, appointed by the governor. Of such four members, not fewer
12 than two shall be a veteran of the United States army, the United States
13 navy, the United States air force, the United States marines, the New
14 York army national guard, the New York air national guard, the New York
15 naval militia, or a member who has served in a theater of combat oper-
16 ations of the United States coast guard or the United States merchant
17 marine. Two members shall be appointed by the temporary president of the
18 senate, and two members shall be appointed by the speaker of the state
19 assembly. At least one of the members appointed by the temporary presi-
20 dent of the senate and at least one of the members appointed by the
21 speaker of the assembly shall be a veteran of the United States army,
22 the United States navy, the United States air force, the United States
23 marines, the New York army national guard, the New York air national
24 guard, the New York naval militia, or a member who has served in a thea-
25 ter of combat operations of the United States coast guard or the United
26 States merchant marine. No member shall receive any compensation for his
27 or her service, but members who are not state officials may be reim-
28 bursed for their actual and necessary expenses, including travel
29 expenses incurred in performance of their duties. The management board
30 may consult with any federal, state or local entity for the purposes of
31 advancing its purposes, mission and duties.

32 (b) The management board shall advise, by majority vote, the commis-
33 sioner on issues concerning the construction, establishment, expansion,
34 improvement, support, operation, maintenance and the provision of
35 perpetual care for the veterans' cemetery, including but not limited to
36 issues of financial concern, employment relations, cemetery policy,
37 cemetery events and programs, and such other and further issues as the
38 board and commissioner shall deem important.

39 4. Additional state veterans' cemeteries. (a) Not later than ten years
40 after the construction and establishment of the first New York state
41 veterans' cemetery, and every ten years thereafter, the department, in
42 cooperation with the United States Department of Veterans Affairs, shall
43 conduct an investigation and study on the issue of the construction and
44 establishment of additional New York state veterans' cemeteries. Such
45 investigation and study shall consider, but not be limited to, the study
46 parameters established pursuant to paragraph (a) of subdivision two of
47 this section. A report of the investigation and study required to be
48 conducted pursuant to this subdivision shall be delivered to the gover-
49 nor, the temporary president of the senate, the speaker of the assembly
50 and the chair of the senate committee on veterans, homeland security and
51 military affairs, and the chair of the assembly committee on veterans'
52 affairs, by no later than ninety days after the department has commenced
53 the conduct of the investigation and study;

54 (b) The report of the investigation and study required to be conducted
55 pursuant to this subdivision shall provide a determination by the direc-
56 tor as to whether the state should construct and establish one or more

1 additional veterans' cemeteries, and shall state the reasoning and basis
2 for such determination; and

3 (c) The department may, at the discretion of the commissioner, at any
4 time after five years from the completion of construction of the most
5 recently constructed and established state veterans' cemetery, in coop-
6 eration with the United States Department of Veterans Affairs, conduct
7 an investigation and study on the issue of the construction and estab-
8 lishment of additional New York state veterans' cemeteries. A report of
9 the investigation and study required to be conducted shall be delivered
10 to the governor, the temporary president of the senate, the speaker of
11 the assembly and the chair of the senate committee on veterans, homeland
12 security and military affairs, and the chair of the assembly committee
13 on veterans' affairs, by no later than ninety days after the department
14 has commenced the conduct of the investigation and study.

15 (d) If the commissioner, pursuant to the investigation and study
16 conducted pursuant to this subdivision, determines that there shall be
17 an additional state veterans' cemetery in New York state, the commis-
18 sioner shall provide for the construction and establishment of such new
19 veterans' cemetery pursuant to the same guidelines and standards for the
20 construction and establishment of the first state veterans' cemetery
21 under this section.

22 5. Expansion and improvement of existing state veterans' cemeteries.
23 The commissioner, in consultation with the management board of a state
24 veterans' cemetery, may provide for the expansion and/or improvement of
25 the cemetery. Such expansion and improvement shall be conducted in
26 accordance with the rules and regulations of the department under para-
27 graph (e) of subdivision two of this section.

28 § 24. Veterans health screening. 1. As used in this section: a.
29 "Eligible member" means a member of the New York army national guard or
30 the New York air national guard who served in the Persian Gulf War, as
31 defined in 38 USC 101, or in an area designated as a combat zone by the
32 president of the United States during Operation Enduring Freedom or
33 Operation Iraqi Freedom;

34 b. "Veteran" means a person, male or female, resident of this state,
35 who has served in the active military, naval or air service of the
36 United States during a time of war in which the United States engaged
37 and who has been released from such service otherwise than by dishonor-
38 able discharge, or who has been furloughed to the reserve;

39 c. "Military physician" includes a physician who is under contract
40 with the United States department of defense to provide physician
41 services to members of the armed forces; and

42 d. "Depleted uranium" means uranium containing less uranium-235 than
43 the naturally occurring distribution of uranium isotopes.

44 2. On and after February first, two thousand seven, the adjutant
45 general and the state commissioner shall assist any eligible member or
46 veteran who has been experiencing health problems. Such problems may
47 include exposure to toxic materials or harmful physical agents such as
48 depleted uranium. An eligible member or veteran who has been assigned a
49 risk level I, II or III for depleted uranium exposure by his or her
50 branch of service, is referred by a military physician, or has reason to
51 believe that he or she was exposed to toxic materials or harmful phys-
52 ical agents such as depleted uranium during such service, in obtaining
53 federal treatment services. Such treatment shall include, but not be
54 limited to, a best practice health screening test for exposure to
55 depleted uranium using a bioassay procedure involving sensitive methods
56 capable of detecting depleted uranium at low levels and the use of

1 equipment with the capacity to discriminate between different radioiso-
2 topes in naturally occurring levels of uranium and the characteristic
3 ratio and marker for depleted uranium. As more scientific reliable tests
4 become available such test shall be included in the treatment protocol.
5 No state funds shall be used to pay for such tests or such other federal
6 treatment services.

7 3. On or before February first, two thousand seven, the adjutant
8 general shall submit a report to the chair of the senate veterans, home-
9 land security and military affairs committee and the chair of the assem-
10 bly veterans' affairs committee on the scope and adequacy of training
11 received by members of the New York army national guard and the New York
12 air national guard on detecting whether their service as eligible
13 members is likely to entail, or to have entailed, exposure to toxic
14 materials or harmful physical agents such as depleted uranium. The
15 report shall include an assessment of the feasibility and cost of adding
16 predeployment training concerning potential exposure to depleted uranium
17 and other toxic chemical substances and the precautions recommended
18 under combat and noncombat conditions while in a combat theater or
19 combat zone of operations.

20 § 25. Payment to parents of veterans. 1. Annuity established. (a) A
21 parent, identified in 10 USC 1126 as a gold star parent, of a veteran
22 who heretofore has died or a parent of a veteran dying hereafter, shall
23 upon application to the state commissioner, be paid an annual annuity
24 out of the treasury of the state for the sum of five hundred dollars for
25 such term as such parent shall be entitled thereto under the provisions
26 of this article. Commencing in the year two thousand nineteen, the
27 amount of any annuity payable under this section shall be the same
28 amount as the annuity payable in the preceding year plus a percentage
29 adjustment equal to the annual percentage increase, if any, for compen-
30 sation and pension benefits administered by the United States Department
31 of Veterans Affairs in the previous year. Such percentage increase shall
32 be rounded up to the next highest one-tenth of one percent and shall not
33 be less than one percent nor more than four percent. The commissioner of
34 veterans' services, not later than February first of each year, shall
35 publish by any reasonable means, including but not limited to posting on
36 the department's website, the amount of the annuity as adjusted payable
37 under this section. The term "parent" for the purposes of this section
38 includes mother, father, stepmother, stepfather, mother through adoption
39 and father through adoption.

40 (b) The entitlement of any parent to receive the annuity provided by
41 paragraph (a) of this subdivision shall terminate upon his or her death
42 or upon his or her ceasing to continue to be a resident of and domiciled
43 in the state of New York, but such entitlement may be reinstated upon
44 application to the state commissioner, if such parent shall thereafter
45 resume his or her residence and domicile in the state.

46 (c) The effective date of an award of the annuity to a parent shall be
47 the day after the date of death of the veteran if the application there-
48 for is received within one year from date of death. If the application
49 is received after the expiration of the first year following the date of
50 the death of the veteran, the effective date of an award of the annuity
51 to a parent shall be the date of receipt of the application by the state
52 commissioner. If the application is denied but is granted at a later
53 date upon an application for reconsideration based upon new evidence,
54 the effective date of the award of the annuity to a parent shall be the
55 date of the receipt of the application for reconsideration by the state
56 commissioner.

1 (d) Any applicant convicted of making any false statement in the
2 application for the annuity shall be subject to penalties prescribed in
3 the penal law.

4 2. Qualifications. (a) Any gold star parent, who is the parent of a
5 deceased veteran, and who is a resident of and domiciled in the state of
6 New York, shall make application to the department.

7 (b) No entitlement shall be paid under this section to or for a gold
8 star parent who is in prison in a federal, state, or local penal insti-
9 tution as a result of conviction of a felony or misdemeanor for any part
10 of the period beginning sixty-one days after his or her imprisonment
11 begins and ending with his or her release.

12 (c) Where one or more gold star parents are disqualified for the annu-
13 ity for a period under paragraph (b) of this subdivision, the state
14 commissioner shall pay the shares of such disqualified parents to the
15 other parents, if they meet the qualifications on their own.

16 (d) The decision of the state commissioner on matters regarding the
17 payment of such annuity shall be final.

18 3. Method of payment. (a) Evidence of the military service of the
19 deceased veteran of the gold star parent for each case shall be
20 furnished in the manner and form prescribed by the state commissioner.

21 (b) Upon being satisfied that such service was honorable, that other
22 facts and statements in the application of such gold star parent are
23 true, the state commissioner shall certify to the state comptroller the
24 name and address of such gold star parent.

25 (c) Thereafter, the department of taxation and finance, on the audit
26 and warrant of the comptroller, shall pay such gold star parent such sum
27 as is authorized by the provisions of this section in semi-annual
28 installments for so long as such qualified gold star parent shall meet
29 the requirements of this section.

30 4. Report. The state commissioner shall submit a report to the gover-
31 nor, the chair of the senate finance committee, and the chair of the
32 assembly ways and means committee not later than January fifteenth of
33 each year this section is in effect. Such report shall include, but not
34 be limited to regulations promulgated pursuant to this section, and a
35 description and evaluation of the program.

36 § 26. Cremated remains of a veteran. The cremated remains of a veteran
37 may be disposed of pursuant to the provisions of section forty-two
38 hundred three of the public health law.

39 § 27. New York state silver rose veterans service certificate. The
40 commissioner, in consultation with the adjutant general, is hereby
41 authorized to present in the name of the legislature of the state of New
42 York, a certificate, to be known as the "New York State Silver Rose
43 Veterans Service Certificate", bearing a suitable inscription to any
44 person:

45 1. who is a citizen of the state of New York; or

46 2. who was a citizen of the state of New York while serving in the
47 armed forces of the United States, and who while serving in the armed
48 forces of the United States, or the organized militia on active duty was
49 exposed to dioxin or phenoxy herbicides, as evinced by a medical diagno-
50 sis of a disease associated with dioxin or phenoxy herbicides, and any
51 other proof determined by the adjutant general to be necessary; or

52 3. who was honorably discharged or released under honorable circum-
53 stances.

54 Not more than one New York state silver rose veterans certificates
55 shall be awarded or presented, under the provisions of this section, to
56 any person whose entire service subsequent to the time of the receipt of

1 such certificate shall not have been honorable. In the event of the
2 death of any person during or subsequent to the receipt of such certifi-
3 cate it shall be presented to such representative of the deceased as
4 may be designated. The commissioner, in consultation with the adjutant
5 general, shall make such rules and regulations as may be deemed neces-
6 sary for the proper presentation and distribution of such certificates.

ARTICLE 2

VETERANS EMPLOYMENT ACT

9 Section 30. Short title.

10 31. Legislative findings.

11 32. Definitions.

12 33. Temporary hiring.

13 34. Department of civil services responsibilities.

14 35. Regulations.

15 § 30. Short title. This article shall be known and may be cited as the
16 "veterans employment act".

17 § 31. Legislative findings. The legislature hereby finds that it is
18 estimated that over the next five years, forty-four thousand veterans
19 are expected to return to this state from their military posts, making
20 the Empire State home to one of the largest veteran populations in the
21 country. Shockingly, the unemployment rate for Post-9/11 veterans in New
22 York was 10.7% in two thousand twelve, which is nearly one percent high-
23 er than the national average and higher than the state's overall 8.2%
24 unemployment rate. The legislature has found previously that it is in
25 the interest of the state to ensure that returning veterans have employ-
26 ment opportunities available upon their separation from military
27 service.

28 The state already encourages private businesses to hire military
29 veterans through tax credits and other economic incentives. In addition,
30 the legislature has previously found that state agencies spend millions
31 of dollars annually on temporary staff hired from temporary employment
32 service companies to cover temporary staffing needs. These temporary
33 state jobs could serve as a bridge for recently discharged military
34 veterans who have yet to find full-time permanent work. In addition,
35 these temporary assignments could serve to develop the next generation
36 of the state workforce and help with succession planning for the current
37 workforce.

38 The legislature declares it to be the policy of this state to use
39 veterans for temporary appointments in state agencies rather than
40 utilizing temporary employment service companies in order to provide
41 employment opportunities for returning military veterans.

42 § 32. Definitions. As used in this article:

43 1. "State agency" shall mean any department, board, bureau, division,
44 commission, council or committee within the executive branch, the state
45 university of New York, the city university of New York, and all public
46 authorities under the control of the executive branch.

47 2. "Temporary appointment" shall have the same meaning as provided in
48 section sixty-four of the civil service law.

49 3. "Veteran" shall mean an individual who served on active duty in the
50 United States army, navy, marine corps, air force, coast guard or the
51 reserves component, or who served in active military service of the
52 United States as a member of the army national guard, air national
53 guard, New York guard or New York naval militia, who was released from
54 such service otherwise than by dishonorable discharge after September
55 eleventh, two thousand one.

1 4. "Veteran temporary hiring list" shall mean a hiring list maintained
2 by the department of civil service.

3 § 33. Temporary hiring. Notwithstanding any provision of law to the
4 contrary, a state agency shall select a veteran from the veteran tempo-
5 rary hiring list when making a temporary appointment provided such
6 veteran possesses the applicable skills needed for the temporary assign-
7 ment.

8 § 34. Department of civil services responsibilities. The department of
9 civil service shall:

10 1. establish and maintain a veteran temporary hiring list, for use by
11 state agencies in the implementation of this article;

12 2. assist state agencies by making available services of the depart-
13 ment of civil service to facilitate the provisions of this article; and

14 3. establish and maintain, together with the commissioner of the
15 department of veterans' services, a program to educate separating
16 service members as to the benefits available to veterans under this
17 article.

18 § 35. Regulations. The president of the state civil service commission
19 shall promulgate such rules and regulations as shall be necessary to
20 implement the provisions of this article.

21 ARTICLE 3

22 PARTICIPATION BY SERVICE-DISABLED VETERANS WITH RESPECT TO 23 STATE CONTRACTS

24 Section 40. Definitions.

25 41. Division of service-disabled veterans' business development.

26 42. Opportunities for certified service-disabled veteran-owned
27 business enterprises.

28 43. Severability.

29 § 40. Definitions. As used in this article, the following terms shall
30 have the following meanings:

31 1. "Certified service-disabled veteran-owned business enterprise"
32 shall mean a business enterprise, including a sole proprietorship, part-
33 nership, limited liability company or corporation that is:

34 (a) at least fifty-one percent owned by one or more service-disabled
35 veterans;

36 (b) an enterprise in which such service-disabled veteran ownership is
37 real, substantial, and continuing;

38 (c) an enterprise in which such service-disabled veteran ownership has
39 and exercises the authority to control independently the day-to-day
40 business decisions of the enterprise;

41 (d) an enterprise authorized to do business in this state and is inde-
42 pendently-owned and operated;

43 (e) an enterprise that is a small business which has a significant
44 business presence in the state, not dominant in its field and employs,
45 based on its industry, a certain number of persons as determined by the
46 director, but not to exceed three hundred, taking into consideration
47 factors which include, but are not limited to, federal small business
48 administration standards pursuant to 13 CFR part 121 and any amendments
49 thereto; and

50 (f) certified by the office of general services.

51 2. "Commissioner" shall mean the commissioner of the office of general
52 services.

53 3. "Director" shall mean the director of the division of service-disa-
54 bled veterans' business development.

1 4. "Division" shall mean the division of service-disabled veterans'
2 business development in the office of general services.

3 5. "Service-disabled veteran" shall mean (a) in the case of the United
4 States army, navy, air force, marines, coast guard, army national guard
5 or air national guard and/or reserves thereof, a veteran who received a
6 compensation rating of ten percent or greater from the United States
7 Department of Veterans Affairs or from the United States department of
8 defense because of a service-connected disability incurred in the line
9 of duty, and (b) in the case of the New York guard or the New York naval
10 militia and/or reserves thereof, a veteran who certifies, pursuant to
11 the rules and regulations promulgated by the director, to having
12 incurred an injury equivalent to a compensation rating of ten percent or
13 greater from the United States Department of Veterans Affairs or from
14 the United States Department of Defense because of a service-connected
15 disability incurred in the line of duty.

16 6. "State agency" shall mean: (a)(i) any state department; or (ii) any
17 division, board, commission or bureau of any state department; or (iii)
18 the state university of New York and the city university of New York,
19 including all their constituent units except community colleges and the
20 independent institutions operating statutory or contract colleges on
21 behalf of the state; or (iv) a board, a majority of whose members are
22 appointed by the governor or who serve by virtue of being state officers
23 or employees as defined in subparagraph (i), (ii) or (iii) of paragraph
24 (i) of subdivision one of section seventy-three of the public officers
25 law.

26 (b) a "state authority" as defined in subdivision one of section two
27 of the public authorities law, and the following:

28 Albany County Airport Authority;
29 Albany Port District Commission;
30 Alfred, Almond, Hornellsville Sewer Authority;
31 Battery Park City Authority;
32 Cayuga County Water and Sewer Authority;
33 (Nelson A. Rockefeller) Empire State Plaza Performing Arts Center
34 Corporation;
35 Industrial Exhibit Authority;
36 Livingston County Water and Sewer Authority;
37 Long Island Power Authority;
38 Long Island Rail Road;
39 Long Island Market Authority;
40 Manhattan and Bronx Surface Transit Operating Authority;
41 Metro-North Commuter Railroad;
42 Metropolitan Suburban Bus Authority;
43 Metropolitan Transportation Authority;
44 Natural Heritage Trust;
45 New York City Transit Authority;
46 New York Convention Center Operating Corporation;
47 New York State Bridge Authority;
48 New York State Olympic Regional Development Authority;
49 New York State Thruway Authority;
50 Niagara Falls Public Water Authority;
51 Niagara Falls Water Board;
52 Port of Oswego Authority;
53 Power Authority of the State of New York;
54 Roosevelt Island Operating Corporation;
55 Schenectady Metroplex Development Authority;
56 State Insurance Fund;

1 Staten Island Rapid Transit Operating Authority;
2 State University Construction Fund;
3 Syracuse Regional Airport Authority;
4 Triborough Bridge and Tunnel Authority;
5 Upper Mohawk valley regional water board;
6 Upper Mohawk valley regional water finance authority;
7 Upper Mohawk valley memorial auditorium authority;
8 Urban Development Corporation and its subsidiary corporations.

9 (c) the following only to the extent of state contracts entered into
10 for its own account or for the benefit of a state agency as defined in
11 paragraph (a) or (b) of this subdivision:

12 Dormitory Authority of the State of New York;
13 Facilities Development Corporation;
14 New York State Energy Research and Development Authority;
15 New York State Science and Technology Foundation.

16 (d) "state contract" shall mean: (i) a written agreement or purchase
17 order instrument, providing for a total expenditure in excess of twenty-five thousand dollars, whereby a contracting agency is committed to
18 expend or does expend funds in return for labor, services including but
19 not limited to legal, financial and other professional services,
20 supplies, equipment, materials or any combination of the foregoing, to
21 be performed for, or rendered or furnished to the contracting agency;
22 (ii) a written agreement in excess of one hundred thousand dollars
23 whereby a contracting agency is committed to expend or does expend funds
24 for the acquisition, construction, demolition, replacement, major repair
25 or renovation of real property and improvements thereon; and (iii) a
26 written agreement in excess of one hundred thousand dollars whereby the
27 owner of a state assisted housing project is committed to expend or does
28 expend funds for the acquisition, construction, demolition, replacement,
29 major repair or renovation of real property and improvements thereon for
30 such project.

31 7. "Veteran" shall mean a person who served in the United States army,
32 navy, air force, marines, coast guard, and/or reserves thereof, and/or
33 in the army national guard, air national guard, New York guard and/or
34 the New York naval militia, and who (i) has received an honorable or
35 general discharge from such service, or (ii) has a qualifying condition,
36 as defined in section one of this chapter, and has received a discharge
37 other than bad conduct or dishonorable from such service, or (iii) is a
38 discharged LGBT veteran, as defined in section one of this chapter, and
39 has received a discharge other than bad conduct or dishonorable from
40 such service.

41 § 41. Division of service-disabled veterans' business development. 1.
42 The head of the division of service-disabled veterans' business develop-
43 ment shall be the director who shall be appointed by the governor and
44 who shall hold office at the pleasure of the commissioner.

45 2. The director may appoint such deputies, assistants, and other
46 employees as may be needed for the performance of the duties prescribed
47 herein subject to the provisions of the civil service law and the rules
48 and regulations of the civil service commission. The director may
49 request and shall receive from any (i) department, division, board,
50 bureau, or executive commission of the state or (ii) state agency, such
51 assistance as may be necessary to carry out the provisions of this arti-
52 cle.

53 3. The director shall have the following powers and duties:

54 (a) Develop, collect, summarize and disseminate information that will
55 be helpful to persons and organizations throughout the state in under-
56

1 taking or promoting the establishment and successful operation of a
2 service-disabled veteran-owned business.

3 (b) Develop and make available to state agencies a directory of certi-
4 fied service-disabled veteran-owned business enterprises which shall,
5 wherever practicable, be divided into categories of labor, services,
6 supplies, equipment, materials and recognized construction trades and
7 which shall indicate areas or locations of the state where such enter-
8 prises are available to perform services. Such directory shall be posted
9 on the office of general services website.

10 (c) Assist state agencies in the development of programs to foster and
11 promote the use of service-disabled veteran-owned business enterprises
12 on state contracts.

13 (d) Coordinate the plans, programs and operations of the state govern-
14 ment which affect or may contribute to the establishment, preservation
15 and development of service-disabled veteran-owned business enterprises.

16 (e) To appoint independent hearing officers who by contract or terms
17 of employment shall preside over adjudicatory hearings pursuant to this
18 section for the office and who are assigned no other work by the office.

19 (f) In conjunction with the commissioner, develop a comprehensive
20 statewide plan and operational guidelines to promote service-disabled
21 veteran-owned business enterprises and to assist them in obtaining
22 opportunities to participate in the procurement of goods and services by
23 the state, including identification of barriers to service-disabled
24 veterans' business development and investigation and evaluation of their
25 impact on achieving the objectives of this article.

26 4. The commissioner shall:

27 (a) Coordinate training of all procurement personnel of state agen-
28 cies, emphasizing increased sensitivity and responsiveness to the unique
29 needs and requirements of service-disabled veteran-owned business enter-
30 prises.

31 (b) Conduct a coordinated review of all existing and proposed state
32 training and technical assistance activities in direct support of the
33 service-disabled veterans' business development program to assure
34 consistency with the objectives of this article.

35 (c) Evaluate and assess availability of firms for the purpose of
36 increasing participation of such firms in state contracting in consulta-
37 tion with relevant state entities including, but not limited to, the New
38 York state department of veterans' services.

39 (d) Provide advice and technical assistance to promote service-disa-
40 bled veteran-owned business enterprises' understanding of state procure-
41 ment laws, practices and procedures to facilitate and increase the
42 participation of service-disabled veteran-owned business enterprises in
43 state procurement.

44 (e) Establish regular performance reporting systems regarding imple-
45 mentation of the programs designed to increase service-disabled veter-
46 an-owned business participation in procurement contracts by state agen-
47 cies.

48 (f) Submit a report by the thirty-first of December each year, to the
49 governor, the temporary president of the senate, the speaker of the
50 assembly and the chairpersons of the senate finance and assembly ways
51 and means committees. Such report shall include information including,
52 but not limited to, the number of contracts entered into pursuant to
53 this article, the average amount of such contracts, the number of
54 service-disabled veteran-owned business enterprises certified, the
55 number of applications for certification as a service-disabled veteran-
56 owned business enterprise, the number of denials for such certification,

1 the number of appeals of such denials, and the outcome of such appeals
2 and the average time that is required for such certification to be
3 completed. Also to be included shall be the level of service-disabled
4 veteran-owned businesses participating in each agency's contracts for
5 goods and services and on activities of the division and efforts by each
6 contracting agency to promote utilization of service-disabled veteran-
7 owned businesses and to promote and increase participation by certified
8 service-disabled veteran-owned businesses with respect to state
9 contracts and subcontracts to such businesses. Such report may recommend
10 new activities and programs to effectuate the purposes of this article.

11 5. Certification. (a) The director, or in the absence of the director,
12 the commissioner, within ninety days of the effective date of this arti-
13 cle, shall promulgate rules and regulations providing for the establish-
14 ment of a statewide certification program including rules and regu-
15 lations governing the approval, denial, or revocation of any such
16 certification. Such rules and regulations shall include, but not be
17 limited to, such matters as may be required to ensure that the estab-
18 lished procedures thereunder shall at least be in compliance with the
19 code of fair procedure set forth in section seventy-three of the civil
20 rights law.

21 (b) The division of service-disabled veterans' business development
22 shall be responsible for verifying businesses as being owned, operated,
23 and controlled by a service-disabled veteran and for certifying such
24 verified businesses. Status as a service-disabled veteran pursuant to
25 paragraph (a) of this subdivision shall be documented by a copy of the
26 veteran's certificate of release or discharge from active duty, includ-
27 ing but not limited to, a DD-214 form or an honorable service
28 certificate/report of casualty from the Department of Defense, a letter
29 of certification by the United States Department of Veterans Affairs or
30 the United States Department of Defense and any additional information
31 that may be required by the division of service-disabled veterans' busi-
32 ness development. In the case of the New York guard or the New York
33 naval militia and/or reserves thereof, status as a service-disabled
34 veteran pursuant to this paragraph shall be documented pursuant to rules
35 and regulations promulgated by the director, or in the absence of the
36 director, the commissioner.

37 (c) Following application for certification pursuant to this section,
38 the director shall provide the applicant with written notice of the
39 status of the application, including notice of any outstanding deficien-
40 cies, within thirty days. Within sixty days of submission of a final
41 completed application, the director shall provide the applicant with
42 written notice of a determination by the director approving or denying
43 such certification and, in the event of a denial, a statement setting
44 forth the reasons for such denial. Upon a determination denying or
45 revoking certification, the business enterprise for which certification
46 has been so denied or revoked shall, upon written request made within
47 thirty days from receipt of notice of such determination, be entitled to
48 a hearing before an independent hearing officer designated for such
49 purpose by the director. In the event that a request for a hearing is
50 not made within such thirty-day period, such determination shall be
51 deemed to be final. The independent hearing officer shall conduct a
52 hearing and upon the conclusion of such hearing, issue a written recom-
53 mendation to the director to affirm, reverse, or modify such determi-
54 nation of the director. Such written recommendation shall be issued to
55 the parties. The director, within thirty days, by order, must accept,
56 reject or modify such recommendation of the hearing officer and set

1 forth in writing the reason therefor. The director shall serve a copy of
2 such order and reasons therefor upon the business enterprise by personal
3 service or by certified mail return receipt requested. The order of the
4 director shall be subject to review pursuant to article seventy-eight of
5 the civil practice law and rules.

6 (d) All certifications shall be valid for a period of five years.

7 § 42. Opportunities for certified service-disabled veteran-owned busi-
8 ness enterprises. 1. The director, or in the absence of the director,
9 the commissioner, within ninety days of the effective date of this arti-
10 cle shall promulgate rules and regulations for the following purposes:

11 (a) provide measures and procedures to ensure that certified service-
12 disabled veteran-owned business enterprises are afforded the opportunity
13 for meaningful participation in the performance of state contracts and
14 to assist in state agencies' identification of those state contracts for
15 which certified service-disabled veteran-owned business enterprises may
16 best perform;

17 (b) provide for measures and procedures that assist state agencies in
18 the identification of state contracts where service-disabled veteran
19 contract goals are practical, feasible and appropriate for the purpose
20 of increasing the utilization of service-disabled veteran-owned business
21 enterprise participation on state contracts;

22 (c) achieve a statewide goal for participation on state contracts by
23 service-disabled veteran-owned business enterprises of six percent;

24 (d) provide for procedures relating to submission and receipt of
25 applications by service-disabled veteran-owned business enterprises for
26 certification;

27 (e) provide for the monitoring and compliance of state contracts by
28 state agencies with respect to the provisions of this article;

29 (f) provide for the requirement that state agencies submit regular
30 reports, as determined by the director, with respect to their service-
31 disabled veteran-owned business enterprise program activity, including
32 but not limited to, utilization reporting and state contract monitoring
33 and compliance;

34 (g) notwithstanding any provision of the state finance law, the public
35 buildings law, the highway law, the transportation law or the public
36 authorities law to the contrary, provide for the reservation or set-a-
37 side of certain procurements by state agencies in order to achieve the
38 objectives of this article; provided, however, that such procurements
39 shall remain subject to (i) priority of preferred sources pursuant to
40 sections one hundred sixty-two and one hundred sixty-three of the state
41 finance law; (ii) the approval of the comptroller of the state of New
42 York pursuant to section one hundred twelve and section one hundred
43 sixty-three of the state finance law and section twenty-eight hundred
44 seventy-nine-a of the public authorities law; and (iii) the procurement
45 record requirements pursuant to paragraph g of subdivision nine of
46 section one hundred sixty-three of the state finance law; and

47 (h) provide for any other purposes to effectuate this article.

48 2. State agencies shall administer the rules and regulations promul-
49 gated by the director for the implementation of this article.

50 § 43. Severability. If any clause, sentence, paragraph, section or
51 part of this article shall be adjudged by any court of competent juris-
52 diction to be invalid, the judgment shall not affect, impair or invali-
53 date the remainder thereof, but shall be confined in its operation to
54 the clause, sentence, paragraph, section or part of this article direct-
55 ly involved in the controversy in which the judgment shall have been
56 rendered.

§ 3. Paragraph a of subdivision 3 of section 14-a of the domestic relations law, as separately amended by section 27 of part AA of chapter 56 and chapter 177 of the laws of 2019, is amended to read as follows:

a. No fee shall be charged for any certificate when required by the United States department of veterans affairs or by the ~~[division]~~ department of veterans' services of the state of New York to be used in determining the eligibility of any person to participate in the benefits made available by the United States department of veterans affairs or by the state of New York.

§ 4. Subdivision 1 of section 19 of the domestic relations law, as amended by section 28 of part AA of chapter 56 of the laws of 2019, is amended to read as follows:

1. Each town and city clerk hereby empowered to issue marriage licenses shall keep a book supplied by the state department of health in which such clerk shall record and index such information as is required therein, which book shall be kept and preserved as a part of the public records of his or her office. Whenever an application is made for a search of such records the city or town clerk, excepting the city clerk of the city of New York, may make such search and furnish a certificate of the result to the applicant upon the payment of a fee of five dollars for a search of one year and a further fee of one dollar for the second year for which such search is requested and fifty cents for each additional year thereafter, which fees shall be paid in advance of such search. Whenever an application is made for a search of such records in the city of New York, the city clerk of the city of New York may make such search and furnish a certificate of the result to the applicant upon the payment of a fee of five dollars for a search of one year and a further fee of one dollar for the second year for which search is requested and fifty cents each additional year thereafter. Notwithstanding any other provision of this article, no fee shall be charged for any search or certificate when required by the United States department of veterans affairs or by the ~~[division]~~ department of veterans' services of the state of New York to be used in determining the eligibility of any person to participate in the benefits made available by the United States department of veterans affairs or by the state of New York. All such affidavits, statements and consents, immediately upon the taking or receiving of the same by the town or city clerk, shall be recorded and indexed as provided herein and shall be public records and open to public inspection whenever the same may be necessary or required for judicial or other proper purposes. At such times as the commissioner shall direct, the said town or city clerk, excepting the city clerk of the city of New York, shall file in the office of the state department of health the original of each affidavit, statement, consent, order of a justice or judge authorizing immediate solemnization of marriage, license and certificate, filed with or made before such clerk during the preceding month. Such clerk shall not be required to file any of said documents with the state department of health until the license is returned with the certificate showing that the marriage to which they refer has been actually performed.

The county clerks of the counties comprising the city of New York shall cause all original applications and original licenses with the marriage solemnization statements thereon heretofore filed with each, and all papers and records and binders relating to such original documents pertaining to marriage licenses issued by said city clerk, in their custody and possession to be removed, transferred, and delivered to the borough offices of the city clerk in each of said counties.

§ 5. Subdivision 1 of section 3308 of the education law, as amended by section 29 of part AA of chapter 56 of the laws of 2019, is amended to read as follows:

1. Each member state shall, through the creation of a state council or use of an existing body or board, provide for the coordination among its agencies of government, local educational agencies and military installations concerning the state's participation in, and compliance with, this compact and interstate commission activities. In New York, the state council shall include the commissioner or his or her designee, the ~~director~~ commissioner of the New York state ~~division~~ department of veterans' services or his or her designee, the adjutant general of the state of New York or his or her designee, a superintendent of a school district with a high concentration of military children appointed by the commissioner, a district superintendent of schools of a board of cooperative educational services serving an area with a high concentration of military children appointed by the commissioner, a representative from a military installation appointed by the governor, a representative of military families appointed by the governor, a public member appointed by the governor and one representative each appointed by the speaker of the assembly, the temporary president of the senate and the governor.

§ 6. Subdivision 1 of section 6505-c of the education law, as amended by section 30 of part AA of chapter 56 of the laws of 2019, is amended to read as follows:

1. The commissioner shall develop, jointly with the ~~director~~ commissioner of the ~~division~~ department of veterans' services, a program to facilitate articulation between participation in the military service of the United States or the military service of the state and admission to practice of a profession. The commissioner and the ~~director~~ commissioner of veterans' services shall identify, review and evaluate professional training programs offered through either the military service of the United States or the military service of the state which may, where applicable, be accepted by the department as equivalent education and training in lieu of all or part of an approved program. Particular emphasis shall be placed on the identification of military programs which have previously been deemed acceptable by the department as equivalent education and training, programs which may provide, where applicable, equivalent education and training for those professions which are critical to public health and safety and programs which may provide, where applicable, equivalent education and training for those professions for which shortages exist in the state of New York.

§ 7. The opening paragraph of section 5-211 of the election law, as separately amended by chapters 587 and 672 of the laws of 2019, is amended to read as follows:

Each agency designated as a participating agency under the provisions of this section shall implement and administer a program of distribution of voter registration forms pursuant to the provisions of this section. The following offices which provide public assistance and/or provide state funded programs primarily engaged in providing services to persons with disabilities are hereby designated as voter registration agencies: designated as the state agencies which provide public assistance are the office of children and family services, the office of temporary and disability assistance and the department of health. Also designated as public assistance agencies are all agencies of local government that provide such assistance. Designated as state agencies that provide programs primarily engaged in providing services to people with disabilities are the department of labor, office for the aging, ~~division~~

1 department of veterans' services, office of mental health, office of
2 vocational and educational services for individuals with disabilities,
3 commission on quality of care for the mentally disabled, office for
4 people with developmental disabilities, commission for the blind, office
5 of [~~alcoholism and substance abuse services~~] addiction services and
6 supports, the office of the advocate for the disabled and all offices
7 which administer programs established or funded by such agencies. Addi-
8 tional participating agencies designated as voter registration offices
9 are the department of state and the district offices of the workers'
10 compensation board. Such agencies shall be required to offer voter
11 registration forms to persons upon initial application for services,
12 renewal or recertification for services and upon change of address
13 relating to such services. Such agencies shall also be responsible for
14 providing assistance to applicants in completing voter registration
15 forms, receiving and transmitting the completed application form from
16 all applicants who wish to have such form transmitted to the appropriate
17 board of elections. The state board of elections shall, together with
18 representatives of the United States department of defense, develop and
19 implement procedures for including recruitment offices of the armed
20 forces of the United States as voter registration offices when such
21 offices are so designated by federal law. The state board of elections
22 shall also make request of the United States Citizenship and Immigration
23 Services to include applications for registration by mail with any mate-
24 rials which are given to new citizens.

25 § 8. Subdivision 3 of section 11-0707 of the environmental conserva-
26 tion law, as amended by chapter 322 of the laws of 2021, is amended to
27 read as follows:

28 3. Any person who is a patient at any facility in this state main-
29 tained by the United States Veterans Health Administration or at any
30 hospital or sanatorium for treatment of tuberculosis maintained by the
31 state or any municipal corporation thereof or resident patient at any
32 institution of the department of Mental Hygiene, or resident patient at
33 the rehabilitation hospital of the department of Health, or at any rest
34 camp maintained by the state through the [~~Division~~] Department of Veter-
35 ans' Services [~~in the Executive Department~~] or any incarcerated individ-
36 ual of a conservation work camp within the youth rehabilitation facility
37 of the department of corrections and community supervision, or any
38 incarcerated individual of a youth opportunity or youth rehabilitation
39 center within the Office of Children and Family Services, any resident
40 of a nursing home or residential health care facility as defined in
41 subdivisions two and three of section twenty-eight hundred one of the
42 public health law, or any staff member or volunteer accompanying or
43 assisting one or more residents of such nursing home or residential
44 health care facility on an outing authorized by the administrator of
45 such nursing home or residential health care facility may take fish as
46 if he or she held a fishing license, except that he or she may not take
47 bait fish by net or trap, if he or she has on his or her person an
48 authorization upon a form furnished by the department containing such
49 identifying information and data as may be required by it, and signed by
50 the superintendent or other head of such facility, institution, hospi-
51 tal, sanitarium, nursing home, residential health care facility or rest
52 camp, as the case may be, or by a staff physician thereat duly author-
53 ized so to do by the superintendent or other head thereof. Such authori-
54 zation with respect to incarcerated individuals of said conservation
55 work camps shall be limited to areas under the care, custody and control
56 of the department.

§ 9. Subdivisions 8, 9 and 10 of section 31 of the executive law, subdivision 8 as amended by section 2 of part AA of chapter 56 of the laws of 2019, subdivision 9 as amended by section 106 of subpart B of part C of chapter 62 of the laws of 2011 and subdivision 10 as amended by section 8 of part 0 of chapter 55 of the laws of 2012, are amended to read as follows:

~~8. [The division of veterans' services.~~

~~9.]~~ The division of homeland security and emergency services.

~~[10.]~~ 9. Office of information technology services.

§ 10. Subdivision 1 of section 191 of the executive law, as amended by section 3 of part AA of chapter 56 of the laws of 2019, is amended to read as follows:

1. There is hereby established within the division of military and naval affairs a temporary advisory committee on the restoration and display of New York state's military battle flags (hereinafter referred to as the "committee"). The committee shall have thirteen members as follows: the adjutant general, the director of the New York state military heritage museum, the commissioners of education and parks, recreation and historic preservation and the ~~[director]~~ commissioner of the ~~[division]~~ department of veterans' services, or their designated representatives, two members appointed each by the governor, speaker of the assembly and majority leader of the senate and one member each appointed by the minority leaders of the senate and assembly and shall serve at the pleasure of the appointing authority. Appointed members shall include individuals with experience in restoration of historical memorabilia, expertise in military history, or a background in historical restoration or fine arts conservation. No appointed member shall be a member of the executive, legislative or judicial branch of the state government at the time of his/her appointment. The advisory committee shall meet at least four times a year. No members shall receive any compensation, but members who are not state officials may receive actual and necessary expenses incurred in the performance of their duties.

§ 11. Subdivision 1 of section 643 of the executive law, as amended by section 14 of part AA of chapter 56 of the laws of 2019, is amended to read as follows:

1. As used in this section, "crime victim-related agency" means any agency of state government which provides services to or deals directly with crime victims, including (a) the office of children and family services, the office for the aging, the ~~[division]~~ department of veterans' services, the office of probation and correctional alternatives, the department of corrections and community supervision, the office of victim services, the department of motor vehicles, the office of vocational rehabilitation, the workers' compensation board, the department of health, the division of criminal justice services, the office of mental health, every transportation authority and the division of state police, and (b) any other agency so designated by the governor within ninety days of the effective date of this section.

§ 12. Section 99-v of the general municipal law, as amended by section 25 of part AA of chapter 56 of the laws of 2019, is amended to read as follows:

§ 99-v. Veterans services; display of events. Each county, city, town or village may adopt a local law to provide a bulletin board to be conspicuously displayed in such county, city, town or village building holding its local legislative body or municipal offices. Such bulletin board shall be used by veterans organizations, the New York state ~~[division]~~ department of veterans' services, the county veterans service

1 agency or city veterans service agency to display information regarding
2 veterans in such county, city, town or village. Such information may
3 include, but not be limited to, benefits or upcoming veterans related
4 events in the community.

5 § 13. Subdivision 1 of section 168 of the labor law, as amended by
6 chapter 322 of the laws of 2021, is amended to read as follows:

7 1. This section shall apply to all persons employed by the state in
8 the ward, cottage, colony, kitchen and dining room, and guard service
9 personnel in any hospital, school, prison, reformatory or other institu-
10 tion within or subject to the jurisdiction, supervision, control or
11 visitation of the department of corrections and community supervision,
12 the department of health, the department of mental hygiene, the depart-
13 ment of social welfare or the ~~[division]~~ department of veterans'
14 services ~~[in the executive department]~~, and engaged in the performance
15 of such duties as nursing, guarding or attending the incarcerated indi-
16 viduals, patients, wards or other persons kept or housed in such insti-
17 tutions, or in protecting and guarding the buildings and/or grounds
18 thereof, or in preparing or serving food therein.

19 § 14. Paragraph 5 of subdivision (b) of section 5.06 of the mental
20 hygiene law, as amended by section 31 of part AA of chapter 56 of the
21 laws of 2019, is amended to read as follows:

22 (5) one member appointed on the recommendation of the state ~~[director]~~
23 commissioner of the ~~[division]~~ department of veterans' services and one
24 member appointed on the recommendation of the adjutant general of the
25 division of military and naval affairs, at least one of whom shall be a
26 current or former consumer of mental health services or substance use
27 disorder services who is a veteran who has served in a combat theater or
28 combat zone of operations and is a member of a veterans organization;

29 § 15. Subdivision (l) of section 7.09 of the mental hygiene law, as
30 added by chapter 378 of the laws of 2019, is amended to read as follows:

31 (l) Notwithstanding any general or special law to the contrary, the
32 commissioner, in conjunction with the commissioner of ~~[alcoholism and]~~
33 ~~substance abuse services~~ addiction services and supports and the direc-
34 tor of the ~~[division]~~ department of veterans' services shall develop a
35 public education initiative designed to eliminate stigma and misinforma-
36 tion about mental illness and substance use among service members,
37 veterans, and their families, improve their understanding of mental and
38 substance use disorders and the existence of effective treatment, and
39 provide information regarding available resources and how to access
40 them. These public education initiatives may include the use of the
41 internet, including the use of social networking sites.

42 § 16. Subdivision (g) of section 202 of the not-for-profit corporation
43 law, as amended by section 33 of part AA of chapter 56 of the laws of
44 2019, is amended to read as follows:

45 (g) Every corporation receiving any kind of state funding shall ensure
46 the provision on any form required to be completed at application or
47 recertification for the purpose of obtaining financial assistance pursu-
48 ant to this chapter, that the application form shall contain a check-off
49 question asking whether the applicant or recipient or a member of his or
50 her family served in the United States military, and an option to answer
51 in the affirmative. Where the applicant or recipient answers in the
52 affirmative to such question, the not-for-profit corporation shall
53 ensure that contact information for the state ~~[division]~~ department of
54 veterans' services is provided to such applicant or recipient in addi-
55 tion to any other materials provided.

§ 17. Subdivision (b) of section 1401 of the not-for-profit corporation law, as amended by section 34 of part AA of chapter 56 of the laws of 2019, is amended to read as follows:

(b) Removal of remains from private cemeteries to other cemeteries. The supervisor of any town containing a private cemetery may remove any body interred in such cemetery to any other cemetery within the town, if the owners of such cemeteries and the next of kin of the deceased consent to such removal. The owners of a private cemetery may remove the bodies interred therein to any other cemetery within such town, or to any cemetery designated by the next of kin of the deceased. Notice of such removal shall be given within twenty days before such removal personally or by certified mail to the next of kin of the deceased if known and to the clerk and historian of the county in which such real property is situated and notice shall be given to the New York state department of state, division of cemeteries. If any of the deceased are known to be veterans, the owners shall also notify the ~~[division]~~ department of veterans' services. In the absence of the next of kin, the county clerk, county historian or the ~~[division]~~ department of veterans' services may act as a guardian to ensure proper reburial.

§ 18. Subdivision 2 of section 3802 of the public health law, as amended by section 23 of part AA of chapter 56 of the laws of 2019, is amended to read as follows:

2. In the exercise of the foregoing powers and duties the commissioner shall consult with the ~~[director]~~ commissioner of the ~~[division]~~ department of veterans' services and the heads of state agencies charged with responsibility for manpower and health resources.

§ 19. Subdivision 3 of section 3803 of the public health law, as amended by section 24 of part AA of chapter 56 of the laws of 2019, is amended to read as follows:

3. In exercising any of his or her powers under this section, the commissioner shall consult with appropriate health care professionals, providers, veterans or organizations representing them, the ~~[division]~~ department of veterans' services, the United States department of veterans affairs and the United States defense department.

§ 20. Paragraph (j) of subdivision 3 of section 20 of the social services law, as amended by section 32 of part AA of chapter 56 of the laws of 2019, is amended to read as follows:

(j) to ensure the provision, on any form required to be completed at application or recertification for the purpose of obtaining financial assistance pursuant to this chapter, the form shall contain a check-off question asking whether the applicant or recipient or a member of his or her family served in the United States military, and an option to answer in the affirmative. Where the applicant or recipient answers in the affirmative to such question, the office of temporary and disability assistance shall ensure that contact information for the state ~~[division]~~ department of veterans' services is provided to such applicant or recipient addition to any other materials provided.

§ 21. Subdivisions 3 and 4 of section 95-f of the state finance law, as amended by section 15 of part AA of chapter 56 of the laws of 2019, are amended to read as follows:

3. Monies of the fund shall be expended for the provision of veterans' counseling services provided by local veterans' service agencies pursuant to section ~~[three hundred fifty seven]~~ fourteen of the ~~[executive]~~ veterans' services law under the direction of the ~~[division]~~ department of veterans' services.

1 4. To the extent practicable, the [~~director~~] commissioner of the
2 [~~division~~] department of veterans' services shall ensure that all monies
3 received during a fiscal year are expended prior to the end of that
4 fiscal year.

5 § 22. The opening paragraph of subdivision 2-a and subdivision 5 of
6 section 97-mmmm of the state finance law, as amended by section 16 of
7 part AA of chapter 56 of the laws of 2019, are amended to read as
8 follows:

9 On or before the first day of February each year, the [~~director~~]
10 commissioner of the New York state [~~division~~] department of veterans'
11 services shall provide a written report to the temporary president of
12 the senate, speaker of the assembly, chair of the senate finance commit-
13 tee, chair of the assembly ways and means committee, chair of the senate
14 committee on veterans, homeland security and military affairs, chair of
15 the assembly veterans' affairs committee, the state comptroller and the
16 public. Such report shall include how the monies of the fund were
17 utilized during the preceding calendar year, and shall include:

18 5. Moneys shall be payable from the fund on the audit and warrant of
19 the comptroller on vouchers approved and certified by the [~~director~~]
20 commissioner of the [~~division~~] department of veterans' services.

21 § 23. The opening paragraph of subdivision 2-a and subdivision 4 of
22 section 99-v of the state finance law, as amended by section 17 of part
23 AA of chapter 56 of the laws of 2019, are amended to read as follows:

24 On or before the first day of February each year, the [~~director~~]
25 commissioner of the New York state [~~division~~] department of veterans'
26 services shall provide a written report to the temporary president of
27 the senate, speaker of the assembly, chair of the senate finance commit-
28 tee, chair of the assembly ways and means committee, chair of the senate
29 committee on veterans, homeland security and military affairs, chair of
30 the assembly veterans' affairs committee, the state comptroller and the
31 public. Such report shall include how the monies of the fund were
32 utilized during the preceding calendar year, and shall include:

33 4. Moneys of the fund shall be expended only for the assistance and
34 care of homeless veterans, for housing and housing-related expenses, as
35 determined by the [~~division~~] department of veterans' services.

36 § 24. Subdivision 1 of section 20 of chapter 784 of the laws of 1951,
37 constituting the New York state defense emergency act, as amended by
38 section 38 of part AA of chapter 56 of the laws of 2019, is amended to
39 read as follows:

40 1. There is hereby continued in the division of military and naval
41 affairs in the executive department a state civil defense commission to
42 consist of the same members as the members of the disaster preparedness
43 commission as established in article two-B of the executive law. In
44 addition, the superintendent of financial services, the chairperson of
45 the workers' compensation board and the [~~director~~] commissioner of the
46 [~~division~~] department of veterans' services shall be members. The gover-
47 nor shall designate one of the members of the commission to be the
48 chairperson thereof. The commission may provide for its division into
49 subcommittees and for action by such subcommittees with the same force
50 and effect as action by the full commission. The members of the commis-
51 sion, except for those who serve ex officio, shall be allowed their
52 actual and necessary expenses incurred in the performance of their
53 duties under this article but shall receive no additional compensation
54 for services rendered pursuant to this article.

§ 25. Paragraph 2 of subdivision b of section 31-102 of the administrative code of the city of New York, as amended by section 39 of part AA of chapter 56 of the laws of 2019, is amended to read as follows:

2. links to websites describing veteran employment services provided by the federal government and New York state government, including, but not limited to, the websites of the United States department of labor, the New York state department of labor, the United States department of veterans affairs, and the New York state ~~[division]~~ department of veterans' services; and

§ 26. Subdivision a of section 3102 of the New York city charter, as amended by section 40 of part AA of chapter 56 of the laws of 2019, is amended to read as follows:

a. Except as otherwise provided by law, the commissioner shall have such powers as provided by the ~~[director]~~ commissioner of the state department veterans' ~~[service-agency]~~ services and shall have the duty to inform military and naval authorities of the United States and assist members of the armed forces and veterans, who are residents of the city, and their families, in relation to: (1) matters pertaining to educational training and retraining services and facilities, (2) health, medical and rehabilitation service and facilities, (3) provisions of federal, state and local laws and regulations affording special rights and privileges to members of the armed forces and veterans and their families, (4) employment and re-employment services, and (5) other matters of similar, related or appropriate nature. The commissioner shall also assist families of members of the reserve components of the armed forces and the organized militia ordered into active duty to ensure that they are made aware of and are receiving all appropriate support available to them. The department also shall perform such other duties as may be assigned by the state ~~[director]~~ commissioner of the ~~[division]~~ department of veterans' services.

§ 27. Subdivision 1 of section 143 of the state finance law, as amended by chapter 96 of the laws of 2019, is amended to read as follows:

1. Notwithstanding any inconsistent provision of any general or special law, the board, division, department, bureau, agency, officer or commission of the state charged with the duty of preparing plans and specifications for and awarding or entering into contracts for the performance of public work may require the payment of a fixed sum of money, not exceeding one hundred dollars, for each copy of such plans and specifications, by persons or corporations desiring a copy thereof. Any person or corporation desiring a copy of such plans and specifications and making the deposit required by this section shall be furnished with one copy of the plans and specifications. Notwithstanding the foregoing, where payment is required it shall be waived upon request by minority- and women-owned business enterprises certified pursuant to article fifteen-A of the executive law or by service-disabled veteran-owned business enterprises certified pursuant to article ~~[seventeen-B]~~ three of the ~~[executive]~~ veterans' services law. Such payment may also be waived when such plans and specifications are made available and obtained electronically or in any non-paper form from the board, division, department, bureau, agency, officer or commission of the state.

§ 28. Paragraph j of subdivision 1 and subdivisions 6 and 6-d of section 163 of the state finance law, paragraph j of subdivision 1 as amended by chapter 569 of the laws of 2015, subdivision 6 as amended by chapter 257 of the laws of 2021 and subdivision 6-d as added by chapter 96 of the laws of 2019, are amended to read as follows:

j. "Best value" means the basis for awarding contracts for services to the offerer which optimizes quality, cost and efficiency, among responsive and responsible offerers. Such basis shall reflect, wherever possible, objective and quantifiable analysis. Such basis may also identify a quantitative factor for offerers that are small businesses, certified minority- or women-owned business enterprises as defined in subdivisions one, seven, fifteen and twenty of section three hundred ten of the executive law or service-disabled veteran-owned business enterprises as defined in subdivision one of section ~~[three hundred sixty-nine-h]~~ forty of the ~~[executive]~~ veterans' services law to be used in evaluation of offers for awarding of contracts for services.

6. Discretionary buying thresholds. Pursuant to guidelines established by the state procurement council: the commissioner may purchase services and commodities for the office of general services or its customer agencies serviced by the office of general services business services center in an amount not exceeding eighty-five thousand dollars without a formal competitive process; state agencies may purchase services and commodities in an amount not exceeding fifty thousand dollars without a formal competitive process; and state agencies may purchase commodities or services from small business concerns or those certified pursuant to ~~[articles]~~ article fifteen-A ~~[and seventeen-B]~~ of the executive law and article three of the veterans' services law, or commodities or technology that are recycled or remanufactured in an amount not exceeding five hundred thousand dollars without a formal competitive process and for commodities that are food, including milk and milk products, grown, produced or harvested in New York state in an amount not to exceed two hundred thousand dollars, without a formal competitive process.

6-d. Pursuant to the authority provided in subdivision six of this section, state agencies shall report annually on a fiscal year basis by July first of the ensuing year to the director of the division of minority and women-owned business development the total number and total value of contracts awarded to businesses certified pursuant to article fifteen-A of the executive law, and with respect to contracts awarded to businesses certified pursuant to article ~~[seventeen-B]~~ three of the ~~[executive]~~ veterans' services law such information shall be reported to the division of service-disabled veteran-owned business enterprises for inclusion in their respective annual reports.

§ 29. Paragraph (f) of subdivision 5 of section 87 of the cannabis law is amended to read as follows:

(f) "Service-disabled veterans" shall mean persons qualified under article ~~[seventeen-B]~~ three of the ~~[executive]~~ veterans' services law.

§ 30. Subdivision 6 of section 224-d of the labor law, as added by section 2 of part AA of chapter 56 of the laws of 2021, is amended to read as follows:

6. Each owner and developer subject to the requirements of this section shall comply with the objectives and goals of certified minority and women-owned business enterprises pursuant to article fifteen-A of the executive law and certified service-disabled veteran-owned businesses pursuant to article ~~[seventeen-B]~~ three of the ~~[executive]~~ veterans' services law. The department in consultation with the ~~[directors]~~ commissioner of the division of minority and women's business development and the director of the division of service-disabled veterans' business development shall make training and resources available to assist minority and women-owned business enterprises and service-disabled veteran-owned business enterprises on covered renewable energy systems to achieve and maintain compliance with prevailing wage require-

ments. The department shall make such training and resources available online and shall afford minority and women-owned business enterprises and service-disabled veteran-owned business enterprises an opportunity to submit comments on such training.

§ 31. Subdivision 3 of section 103-a of the state technology law, as added by chapter 427 of the laws of 2017, is amended to read as follows:

3. The director shall conduct an outreach campaign informing the public of the iCenter and shall conduct specific outreach to minority and women-owned business enterprises certified pursuant to article fifteen-A of the executive law, small businesses as such term is defined in section one hundred thirty-one of the economic development law, and service disabled veteran owned business enterprises certified pursuant to article ~~[seventeen-B]~~ three of the ~~[executive]~~ veterans' services law to inform such businesses of iCenter initiatives.

§ 32. Section 831 of the county law, as amended by chapter 490 of the laws of 2019, is amended to read as follows:

§ 831. Soldier burial plots in Dutchess county. The legislature of the county of Dutchess may authorize the purchase of burial plots and provide for marker settings and perpetual care and maintenance of such plots in one or more of the cemeteries of the county of Dutchess for deceased veterans, who, at the time of death, were residents of the county of Dutchess and who (i) were discharged from the armed forces of the United States either honorably or under honorable circumstances, or (ii) had a qualifying condition, as defined in section ~~[three hundred fifty]~~ one of the ~~[executive]~~ veterans' services law, and received a discharge other than bad conduct or dishonorable, or (iii) were a discharged LGBT veteran, as defined in section ~~[three hundred fifty]~~ one of the ~~[executive]~~ veterans' services law, and received a discharge other than bad conduct or dishonorable. The expense thereof shall be a county charge.

§ 33. Subdivision 6 of section 210 of the economic development law, as amended by chapter 490 of the laws of 2019, is amended to read as follows:

6. "Veteran" shall mean a person who served in the United States army, navy, air force, marines, coast guard, and/or reserves thereof, and/or in the army national guard, air national guard, New York guard and/or New York naval militia and who (a) has received an honorable or general discharge from such service, or (b) has a qualifying condition, as defined in section ~~[three hundred fifty]~~ one of the ~~[executive]~~ veterans' services 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]~~ one of the ~~[executive]~~ veterans' services law, and has received a discharge other than bad conduct or dishonorable from such service.

§ 34. Paragraph 1 of subdivision (a) of section 42 of the correction law, as amended by chapter 322 of the laws of 2021, is amended to read as follows:

1. There shall be within the commission a citizen's policy and complaint review council. It shall consist of nine persons to be appointed by the governor, by and with the advice and consent of the senate. One person so appointed shall have served in the armed forces of the United States in any foreign war, conflict or military occupation, who (i) was discharged therefrom under other than dishonorable conditions, or (ii) has a qualifying condition, as defined in section ~~[three hundred fifty]~~ one of the ~~[executive]~~ veterans' services law, and has received a discharge other than bad conduct or dishonorable from such

1 service, or (iii) is a discharged LGBT veteran, as defined in section
2 ~~[three hundred fifty]~~ one of the ~~[executive]~~ veterans' services law, and
3 has received a discharge other than bad conduct or dishonorable from
4 such service, or shall be a duly licensed mental health professional who
5 has professional experience or training with regard to post-traumatic
6 stress syndrome. One person so appointed shall be an attorney admitted
7 to practice in this state. One person so appointed shall be a former
8 incarcerated individual of a correctional facility. One person so
9 appointed shall be a former correction officer. One person so appointed
10 shall be a former resident of a division for youth secure center or a
11 health care professional duly licensed to practice in this state. One
12 person so appointed shall be a former employee of the office of children
13 and family services who has directly supervised youth in a secure resi-
14 dential center operated by such office. In addition, the governor shall
15 designate one of the full-time members other than the ~~[chairman]~~ chair
16 of the commission as ~~[chairman]~~ chair of the council to serve as such at
17 the pleasure of the governor.

18 § 35. Paragraph (b) of subdivision 5 of section 50 of the civil
19 service law, as amended by chapter 490 of the laws of 2019, is amended
20 to read as follows:

21 (b) Notwithstanding the provisions of paragraph (a) of this subdivi-
22 sion, the state civil service department, subject to the approval of the
23 director of the budget, a municipal commission, subject to the approval
24 of the governing board or body of the city or county, as the case may
25 be, or a regional commission or personnel officer, pursuant to govern-
26 mental agreement, may elect to waive application fees, or to abolish
27 fees for specific classes of positions or types of examinations or
28 candidates, or to establish a uniform schedule of reasonable fees
29 different from those prescribed in paragraph (a) of this subdivision,
30 specifying in such schedule the classes of positions or types of exam-
31 inations or candidates to which such fees shall apply; provided, howev-
32 er, that fees shall be waived for candidates who certify to the state
33 civil service department, a municipal commission or a regional commis-
34 sion that they are unemployed and primarily responsible for the support
35 of a household, or are receiving public assistance. Provided further,
36 the state civil service department shall waive the state application fee
37 for examinations for original appointment for all veterans. Notwith-
38 standing any other provision of law, for purposes of this section, the
39 term "veteran" shall mean a person who has served in the armed forces of
40 the United States or the reserves thereof, or in the army national
41 guard, air national guard, New York guard, or the New York naval mili-
42 tia, and who (1) has been honorably discharged or released from such
43 service under honorable conditions, or (2) has a qualifying condition,
44 as defined in section ~~[three hundred fifty]~~ one of the ~~[executive]~~
45 veterans' services law, and has received a discharge other than bad
46 conduct or dishonorable from such service, or (3) is a discharged LGBT
47 veteran, as defined in section ~~[three hundred fifty]~~ one of the ~~[execu-~~
48 tive] veterans' services law, and has received a discharge other than
49 bad conduct or dishonorable from such service. The term "armed forces"
50 shall mean the army, navy, air force, marine corps, and coast guard.

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

54 (b) a person holding a position by permanent appointment or employment
55 in the classified service of the state or in the several cities, coun-
56 ties, towns, or villages thereof, or in any other political or civil

1 division of the state or of a municipality, or in the public school
2 service, or in any public or special district, or in the service of any
3 authority, commission or board, or in any other branch of public
4 service, who was honorably discharged or released under honorable
5 circumstances from the armed forces of the United States including (i)
6 having a qualifying condition as defined in section [~~three hundred~~
7 ~~fifty~~] one of the [~~executive~~] veterans' services law, and receiving a
8 discharge other than bad conduct or dishonorable from such service, or
9 (ii) being a discharged LGBT veteran, as defined in section [~~three~~
10 ~~hundred fifty~~] one of the [~~executive~~] veterans' services law, and
11 receiving a discharge other than bad conduct or dishonorable from such
12 service, having served therein as such member in time of war as defined
13 in section eighty-five of this chapter, or who is an exempt volunteer
14 firefighter as defined in the general municipal law, except when a
15 person described in this paragraph holds the position of private secre-
16 tary, cashier or deputy of any official or department, or

17 § 37. Paragraph (a) of subdivision 1 of section 85 of the civil
18 service law, as amended by chapter 608 of the laws of 2021, is amended
19 to read as follows:

20 (a) The terms "veteran" and "non-disabled veteran" mean a member of
21 the armed forces of the United States who was honorably discharged or
22 released under honorable circumstances from such service including (i)
23 having a qualifying condition as defined in section [~~three hundred~~
24 ~~fifty~~] one of the [~~executive~~] veterans' services law, and receiving a
25 discharge other than bad conduct or dishonorable from such service, or
26 (ii) being a discharged LGBT veteran, as defined in section [~~three~~
27 ~~hundred fifty~~] one of the [~~executive~~] veterans' services law, and
28 receiving a discharge other than bad conduct or dishonorable from such
29 service, who is a citizen of the United States or an alien lawfully
30 admitted for permanent residence in the United States and who is a resi-
31 dent of the state of New York at the time of application for appointment
32 or promotion or at the time of retention, as the case may be.

33 § 38. Section 86 of the civil service law, as amended by chapter 490
34 of the laws of 2019, is amended to read as follows:

35 § 86. Transfer of veterans or exempt volunteer firefighters upon abol-
36 ition of positions. If the position in the non-competitive or in the
37 labor class held by any honorably discharged veteran of the armed forces
38 of the United States or by any veteran of the armed forces of the United
39 States released under honorable circumstances from such service includ-
40 ing (i) having a qualifying condition as defined in section [~~three~~
41 ~~hundred fifty~~] one of the [~~executive~~] veterans' services law, and
42 receiving a discharge other than bad conduct or dishonorable from such
43 service, or (ii) being a discharged LGBT veteran, as defined in section
44 [~~three hundred fifty~~] one of the [~~executive~~] veterans' services law, and
45 receiving a discharge other than bad conduct or dishonorable from such
46 service, who served therein in time of war as defined in section eight-
47 y-five of this chapter, or by an exempt volunteer firefighter as defined
48 in the general municipal law, shall become unnecessary or be abolished
49 for reasons of economy or otherwise, the honorably discharged veteran or
50 exempt volunteer firefighter holding such position shall not be
51 discharged from the public service but shall be transferred to a similar
52 position wherein a vacancy exists, and shall receive the same compen-
53 sation therein. It is hereby made the duty of all persons clothed with
54 the power of appointment to make such transfer effective. The right to
55 transfer herein conferred shall continue for a period of one year
56 following the date of abolition of the position, and may be exercised

1 only where a vacancy exists in an appropriate position to which transfer
2 may be made at the time of demand for transfer. Where the positions of
3 more than one such veteran or exempt volunteer firefighter are abolished
4 and a lesser number of vacancies in similar positions exist to which
5 transfer may be made, the veterans or exempt volunteer firefighters
6 whose positions are abolished shall be entitled to transfer to such
7 vacancies in the order of their original appointment in the service.
8 Nothing in this section shall be construed to apply to the position of
9 private secretary, cashier or deputy of any official or department. This
10 section shall have no application to persons encompassed by section
11 eighty-a of this chapter.

12 § 39. Section 13-b of the domestic relations law, as amended by chap-
13 ter 306 of the laws of 2021, is amended to read as follows:

14 § 13-b. Time within which marriage may be solemnized. A marriage shall
15 not be solemnized within twenty-four hours after the issuance of the
16 marriage license, unless authorized by an order of a court of record as
17 hereinafter provided, nor shall it be solemnized after sixty days from
18 the date of the issuance of the marriage license unless authorized
19 pursuant to section [~~three hundred fifty-four-d~~] ten of the [~~executive~~]
20 veterans' services law. Every license to marry hereafter issued by a
21 town or city clerk, in addition to other requirements specified by this
22 chapter, must contain a statement of the day and the hour the license is
23 issued and the period during which the marriage may be solemnized. It
24 shall be the duty of the clergyman or magistrate performing the marriage
25 ceremony, or if the marriage is solemnized by written contract, of the
26 judge before whom the contract is acknowledged, to annex to or endorse
27 upon the marriage license the date and hour the marriage is solemnized.
28 A judge or justice of the supreme court of this state or the county
29 judge of the county in which either party to be married resides, or the
30 judge of the family court of such county, if it shall appear from an
31 examination of the license and any other proofs submitted by the parties
32 that one of the parties is in danger of imminent death, or by reason of
33 other emergency public interest will be promoted thereby, or that such
34 delay will work irreparable injury or great hardship upon the contract-
35 ing parties, or one of them, may, make an order authorizing the immedi-
36 ate solemnization of the marriage and upon filing such order with the
37 clergyman or magistrate performing the marriage ceremony, or if the
38 marriage is to be solemnized by written contract, with the judge before
39 whom the contract is acknowledged, such clergyman or magistrate may
40 solemnize such marriage, or such judge may take such acknowledgment as
41 the case may be, without waiting for such three day period and twenty-
42 four hour period to elapse. The clergyman, magistrate or judge must file
43 such order with the town or city clerk who issued the license within
44 five days after the marriage is solemnized. Such town or city clerk must
45 record and index the order in the book required to be kept by him or her
46 for recording affidavits, statements, consents and licenses, and when so
47 recorded the order shall become a public record and available in any
48 prosecution under this section. A person who shall solemnize a marriage
49 in violation of this section shall be guilty of a misdemeanor and upon
50 conviction thereof shall be punished by a fine of fifty dollars for each
51 offense, and in addition thereto, his or her right to solemnize a
52 marriage shall be suspended for ninety days.

53 § 40. Paragraph c of subdivision 1 of section 360 of the education
54 law, as amended by chapter 490 of the laws of 2019, is amended to read
55 as follows:

c. Adopt and enforce campus rules and regulations not inconsistent with the vehicle and traffic law relating to parking, vehicular and pedestrian traffic, and safety. Such rules and regulations may include provisions for the disposition of abandoned vehicles, removal by towing or otherwise of vehicles parked in violation of such rules at the expense of the owner, the payment of fees for the registration or parking of such vehicles, provided that such campus rules and regulations may provide that any veteran attending the state university as a student shall be exempt from any fees for parking or registering a motor vehicle, and the assessment of administrative fines upon the owner or operator of such vehicles for each violation of the regulations. However, no such fine may be imposed without a hearing or an opportunity to be heard conducted by an officer or board designated by the board of trustees. Such fines, in the case of an officer or employee of state university, may be deducted from the salary or wages of such officer or employee found in violation of such regulations, or in the case of a student of state university found in violation of such regulations, the university may withhold his or her grades and transcripts until such time as any fine is paid. For purposes of this subdivision, the term "veteran" shall mean a member of the armed forces of the United States who served in such armed forces in time of war and who (i) was honorably discharged or released under honorable circumstances from such service, or (ii) has a qualifying condition, as defined in section ~~[three hundred fifty]~~ one of the ~~[executive]~~ veterans' services law, and has received a discharge other than bad conduct or dishonorable from such service, or (iii) is a discharged LGBT veteran, as defined in section ~~[three hundred fifty]~~ one of the ~~[executive]~~ veterans' services law, and has received a discharge other than bad conduct or dishonorable from such service.

§ 41. The opening paragraph of subdivision 6, subdivision 7, paragraph c of subdivision 9, and paragraph a of subdivisions 10 and 10-a of section 503 of the education law, as amended by chapter 490 of the laws of 2019, are amended to read as follows:

Credit for service in war after world war I, which shall mean military service during the period commencing the first day of July, nineteen hundred forty, and terminating the thirtieth day of June, nineteen hundred forty-seven, or during the period commencing the twenty-seventh day of June, nineteen hundred fifty, and terminating the thirty-first day of January, nineteen hundred fifty-five, or during both such periods, as a member of the armed forces of the United States, of any person who (i) has been honorably discharged or released under honorable circumstances from such service, or (ii) has a qualifying condition, as defined in section ~~[three hundred fifty]~~ one of the ~~[executive]~~ veterans' services law, and has received a discharge other than bad conduct or dishonorable from such service, or (iii) is a discharged LGBT veteran, as defined in section ~~[three hundred fifty]~~ one of the ~~[executive]~~ veterans' services law, and has received a discharge other than bad conduct or dishonorable from such service, or service by one who was employed by the War Shipping Administration or Office of Defense Transportation or their agents as a merchant seaman documented by the United States Coast Guard or Department of Commerce, or as a civil servant employed by the United States Army Transport Service (later redesignated as the United States Army Transportation Corps, Water Division) or the Naval Transportation Service; and who served satisfactorily as a crew member during the period of armed conflict, December seventh, nineteen hundred forty-one, to August fifteenth, nineteen hundred forty-five, aboard merchant vessels in oceangoing, i.e., foreign, intercoastal, or

1 coastwise service as such terms are defined under federal law (46 USCA
2 10301 & 10501) and further to include "near foreign" voyages between the
3 United States and Canada, Mexico, or the West Indies via ocean routes,
4 or public vessels in oceangoing service or foreign waters and who has
5 received a Certificate of Release or Discharge from Active Duty and a
6 discharge certificate, or an Honorable Service Certificate/Report of
7 Casualty, from the Department of Defense or who served as a United
8 States civilian employed by the American Field Service and served over-
9 seas under United States Armies and United States Army Groups in world
10 war II during the period of armed conflict, December seventh, nineteen
11 hundred forty-one through May eighth, nineteen hundred forty-five, and
12 (iv) who was discharged or released therefrom under honorable condi-
13 tions, or (v) has a qualifying condition, as defined in section [~~three~~
14 ~~hundred fifty~~] one of the [~~executive~~] veterans' services law, and has
15 received a discharge other than bad conduct or dishonorable from such
16 service, or (vi) is a discharged LGBT veteran, as defined in section
17 [~~three hundred fifty~~] one of the [~~executive~~] veterans' services law, and
18 has received a discharge other than bad conduct or dishonorable from
19 such service, or who served as a United States civilian Flight Crew and
20 Aviation Ground Support Employee of Pan American World Airways or one of
21 its subsidiaries or its affiliates and served overseas as a result of
22 Pan American's contract with Air Transport Command or Naval Air Trans-
23 port Service during the period of armed conflict, December fourteenth,
24 nineteen hundred forty-one through August fourteenth, nineteen hundred
25 forty-five, and who (vii) was discharged or released therefrom under
26 honorable conditions, or (viii) has a qualifying condition, as defined
27 in section [~~three hundred fifty~~] one of the [~~executive~~] veterans'
28 services law, and has received a discharge other than bad conduct or
29 dishonorable from such service, or (ix) is a discharged LGBT veteran, as
30 defined in section [~~three hundred fifty~~] one of the [~~executive~~] veter-
31 ans' services law, and has received a discharge other than bad conduct
32 or dishonorable from such service, and who was a teacher in the public
33 schools of this state at the time of his or her entrance into the armed
34 forces of the United States, provided no compensation was received under
35 the provisions of section two hundred forty-two of the military law, and
36 who returned to public school teaching following discharge or completion
37 of advanced education provided under servicemen's readjustment act of
38 nineteen hundred forty-four, or who following such discharge or release
39 entered into a service which would qualify him or her pursuant to
40 section forty-three of the retirement and social security law to trans-
41 fer his or her membership in the New York state teachers' retirement
42 system, shall be provided as follows, any provisions of section two
43 hundred forty-three of the military law to the contrary notwithstanding.

44 7. A teacher, who was a member of the New York state teachers retire-
45 ment system but who withdrew his or her accumulated contributions imme-
46 diately prior to his or her entry into, or during his or her service in
47 the armed forces of the United States in war after World War I, who (i)
48 has been honorably discharged or released from service, or (ii) has a
49 qualifying condition, as defined in section [~~three hundred fifty~~] one of
50 the [~~executive~~] veterans' services law, and has received a discharge
51 other than bad conduct or dishonorable from such service, or (iii) is a
52 discharged LGBT veteran, as defined in section [~~three hundred fifty~~] one
53 of the [~~executive~~] veterans' services law, and has received a discharge
54 other than bad conduct or dishonorable from such service, provided no
55 compensation was received under the provisions of section two hundred
56 forty-two of the military law, and who returned to public school teach-

ing in the state of New York following such discharge or release, or following completion of advanced education provided under servicemen's readjustment act of nineteen hundred forty-four, any provisions of section two hundred forty-three of the military law to the contrary notwithstanding, will be entitled to credit for service in war after World War I, cost free, provided, however, that such credit will not be allowed until he or she claims and pays for all prior teaching service credited to him or her at the time of his or her termination of membership in the New York state teachers retirement system, and provided further that claim for such service in war after World War I shall be filed by the member with the retirement board before the first day of July, nineteen hundred sixty-eight.

c. (i) has been honorably discharged or released under honorable circumstances from such service, or (ii) has a qualifying condition, as defined in section ~~[three hundred fifty]~~ one of the ~~[executive]~~ veterans' services law, and has received a discharge other than bad conduct or dishonorable from such service, or (iii) is a discharged LGBT veteran, as defined in section ~~[three hundred fifty]~~ one of the ~~[executive]~~ veterans' services law, and has received a discharge other than bad conduct or dishonorable from such service, and

a. In addition to credit for military service pursuant to section two hundred forty-three of the military law and subdivisions six through nine of this section, a member employed as a full-time teacher by an employer as defined in subdivision three of section five hundred one of this article and who joined the retirement system prior to July first, nineteen hundred seventy-three, may obtain credit for military service not in excess of three years and not otherwise creditable under section two hundred forty-three of the military law and subdivisions six through nine of this section, rendered on active duty in the armed forces of the United States during the period commencing July first, nineteen hundred forty, and terminating December thirty-first, nineteen hundred forty-six, or on service by one who was employed by the War Shipping Administration or Office of Defense Transportation or their agents as a merchant seaman documented by the United States Coast Guard or Department of Commerce, or as a civil servant employed by the United States Army Transport Service (later redesignated as the United States Army Transportation Corps, Water Division) or the Naval Transportation Service; and who served satisfactorily as a crew member during the period of armed conflict, December seventh, nineteen hundred forty-one, to August fifteenth, nineteen hundred forty-five, aboard merchant vessels in oceangoing, i.e., foreign, intercoastal, or coastwise service as such terms are defined under federal law (46 USCA 10301 & 10501) and further to include "near foreign" voyages between the United States and Canada, Mexico, or the West Indies via ocean routes, or public vessels in oceangoing service or foreign waters and who has received a Certificate of Release or Discharge from Active Duty and a discharge certificate, or an Honorable Service Certificate/Report of Casualty, from the Department of Defense or on service by one who served as a United States civilian employed by the American Field Service and served overseas under United States Armies and United States Army Groups in world war II during the period of armed conflict, December seventh, nineteen hundred forty-one through May eighth, nineteen hundred forty-five, and who (i) was discharged or released therefrom under honorable conditions, or (ii) has a qualifying condition, as defined in section ~~[three hundred fifty]~~ one of the ~~[executive]~~ veterans' services law, and has received a discharge other than bad conduct or dishonorable from such service, or (iii) is a

1 discharged LGBT veteran, as defined in section [~~three hundred fifty~~] one
2 of the [~~executive~~] veterans' services law, and has received a discharge
3 other than bad conduct or dishonorable from such service, or on service
4 by one who served as a United States civilian Flight Crew and Aviation
5 Ground Support Employee of Pan American World Airways or one of its
6 subsidiaries or its affiliates and served overseas as a result of Pan
7 American's contract with Air Transport Command or Naval Air Transport
8 Service during the period of armed conflict, December fourteenth, nine-
9 teen hundred forty-one through August fourteenth, nineteen hundred
10 forty-five, and who (iv) was discharged or released therefrom under
11 honorable conditions, or (v) has a qualifying condition, as defined in
12 section [~~three hundred fifty~~] one of the [~~executive~~] veterans' services
13 law, and has received a discharge other than bad conduct or dishonorable
14 from such service, or (vi) is a discharged LGBT veteran, as defined in
15 section [~~three hundred fifty~~] one of the [~~executive~~] veterans' services
16 law, and has received a discharge other than bad conduct or dishonorable
17 from such service, by a person who was a resident of New York state at
18 the time of entry into such service and at the time of being discharged
19 therefrom under honorable circumstances, and who makes the payments
20 required in accordance with the provisions of this subdivision.

21 a. In addition to credit for military service pursuant to section two
22 hundred forty-three of the military law and subdivisions six through
23 nine of this section, a member who joined the retirement system prior to
24 July first, nineteen hundred seventy-three, and who was not eligible for
25 credit for military service under subdivision ten of this section as a
26 result of being on a leave of absence without pay between July twenti-
27 eth, nineteen hundred seventy-six and October fifteenth, nineteen
28 hundred seventy-seven or on leave of absence with less than full pay
29 between July twentieth, nineteen hundred seventy-six and October
30 fifteenth, nineteen hundred seventy-seven, may obtain credit for mili-
31 tary service not in excess of three years and not otherwise creditable
32 under section two hundred forty-three of the military law and subdivi-
33 sions six through nine of this section, rendered on active duty in the
34 armed forces of the United States during the period commencing July
35 first, nineteen hundred forty, and terminating December thirty-first,
36 nineteen hundred forty-six, or on service by one who was employed by the
37 War Shipping Administration or Office of Defense Transportation or their
38 agents as a merchant seaman documented by the United States Coast Guard
39 or Department of Commerce, or as a civil servant employed by the United
40 States Army Transport Service (later redesignated as the United States
41 Army Transportation Corps, Water Division) or the Naval Transportation
42 Service; and who served satisfactorily as a crew member during the peri-
43 od of armed conflict, December seventh, nineteen hundred forty-one, to
44 August fifteenth, nineteen hundred forty-five, aboard merchant vessels
45 in oceangoing, i.e., foreign, intercoastal, or coastwise service as such
46 terms are defined under federal law (46 USCA 10301 & 10501) and further
47 to include "near foreign" voyages between the United States and Canada,
48 Mexico, or the West Indies via ocean routes, or public vessels in ocean-
49 going service or foreign waters and who has received a Certificate of
50 Release or Discharge from Active Duty and a discharge certificate, or an
51 Honorable Service Certificate/Report of Casualty, from the Department of
52 Defense, or on service by one who served as a United States civilian
53 employed by the American Field Service and served overseas under United
54 States Armies and United States Army Groups in world war II during the
55 period of armed conflict, December seventh, nineteen hundred forty-one
56 through May eighth, nineteen hundred forty-five, and who (i) was

1 discharged or released therefrom under honorable conditions, or (ii) has
2 a qualifying condition, as defined in section [~~three hundred fifty~~] one
3 of the [~~executive~~] veterans' services law, and has received a discharge
4 other than bad conduct or dishonorable from such service, or (iii) is a
5 discharged LGBT veteran, as defined in section [~~three hundred fifty~~] one
6 of the [~~executive~~] veterans' services law, and has received a discharge
7 other than bad conduct or dishonorable from such service, or on service
8 by one who served as a United States civilian Flight Crew and Aviation
9 Ground Support Employee of Pan American World Airways or one of its
10 subsidiaries or its affiliates and served overseas as a result of Pan
11 American's contract with Air Transport Command or Naval Air Transport
12 Service during the period of armed conflict, December fourteenth, nine-
13 teen hundred forty-one through August fourteenth, nineteen hundred
14 forty-five, and who (iv) was discharged or released therefrom under
15 honorable conditions, or (v) has a qualifying condition, as defined in
16 section [~~three hundred fifty~~] one of the [~~executive~~] veterans' services
17 law, and has received a discharge other than bad conduct or dishonorable
18 from such service, or (vi) is a discharged LGBT veteran, as defined in
19 section [~~three hundred fifty~~] one of the [~~executive~~] veterans' services
20 law, and has received a discharge other than bad conduct or dishonorable
21 from such service, by a person who was a resident of New York state at
22 the time of entry into such service and at the time of being discharged
23 therefrom under honorable circumstances, and who makes the payments
24 required in accordance with the provisions of this subdivision.

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

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

49 § 43. Subparagraph 3 of paragraph b of subdivision 3 of section 663 of
50 the education law, as amended by chapter 490 of the laws of 2019, is
51 amended to read as follows:

52 (3) The applicant was enlisted in full time active military service in
53 the armed forces of the United States and (i) has been honorably
54 discharged from such service, or (ii) has a qualifying condition, as
55 defined in section [~~three hundred fifty~~] one of the [~~executive~~] veter-
56 ans' services law, and has received a discharge other than bad conduct

1 or dishonorable from such service, or (iii) is a discharged LGBT veter-
2 an, as defined in section [~~three hundred fifty~~ one of the [~~executive~~
3 veterans' services law, and has received a discharge other than bad
4 conduct or dishonorable from such service, and, provided, however, that
5 the applicant has not and will not be claimed as a dependent by either
6 parent for purposes of either federal or state income tax.

7 § 44. Paragraph (b) of subdivisions 1 and 2 of section 668 of the
8 education law, as amended by chapter 490 of the laws of 2019, are
9 amended to read as follows:

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

52 (b) (i) is an honorably discharged veteran of the United States or
53 member of the armed forces of the United States, or (ii) has a qualify-
54 ing condition, as defined in section [~~three hundred fifty~~ one of the
55 [~~executive~~] veterans' services law, and has received a discharge other
56 than bad conduct or dishonorable from such service, or (iii) is a

1 discharged LGBT veteran, as defined in section [~~three hundred fifty~~] one
2 of the [~~executive~~] veterans' services law, and has received a discharge
3 other than bad conduct or dishonorable from such service, who is a resi-
4 dent of the state of New York, and who has a current disability of forty
5 percent or more as a result of an injury or illness which is incurred or
6 was incurred during such military service; or

7 § 45. Subdivision 1 of section 668-c of the education law, as amended
8 by chapter 606 of the laws of 2021, is amended to read as follows:

9 1. Eligible students. Awards shall be made to Vietnam veterans' resi-
10 dent children born with Spina Bifida enrolled in approved undergraduate
11 or graduate programs at degree granting institutions. For the purpose of
12 this section, "Vietnam veteran" shall mean a person who served in Indo-
13 china at any time from the first day of November, nineteen hundred
14 fifty-five, to and including the seventh day of May, nineteen hundred
15 seventy-five and (a) was honorably discharged from the armed forces of
16 the United States, or (b) has a qualifying condition, as defined in
17 section [~~three hundred fifty~~] one of the [~~executive~~] veterans' services
18 law, and has received a discharge other than bad conduct or dishonorable
19 from the armed forces of the United States, or (c) is a discharged LGBT
20 veteran, as defined in section [~~three hundred fifty~~] one of the [~~execu-~~
21 ~~tive~~] veterans' services law, and has received a discharge other than
22 bad conduct or dishonorable from the armed forces of the United States;
23 "born with Spina Bifida" shall mean a diagnosis at birth of such disease
24 inclusive of all forms, manifestations, complications and associated
25 medical conditions thereof, but shall not include Spina Bifida Occulta.
26 Such diagnosis shall be in accordance with the provisions of the federal
27 Spina Bifida program and shall be documented by the United States Admin-
28 istration of Veterans' Affairs.

29 § 46. Paragraphs a, b, c and d of subdivision 1 of section 669-a of
30 the education law, paragraph a as amended by chapter 606 of the laws of
31 2021 and paragraphs b, c and d as amended by chapter 490 of the laws of
32 2019, are amended to read as follows:

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

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

1 ans' services law, and has received a discharge other than bad conduct
2 or dishonorable from such service.

3 c. "Afghanistan veteran" means (i) a person who is a resident of this
4 state, (ii) who served in the armed forces of the United States in the
5 hostilities that occurred in Afghanistan from the eleventh day of
6 September, two thousand one, to the end of such hostilities, and (iii)
7 who was either discharged therefrom under honorable conditions, includ-
8 ing but not limited to honorable discharge, discharge under honorable
9 conditions, or general discharge, or has a qualifying condition, as
10 defined in section [~~three hundred fifty~~] one of the [~~executive~~] veter-
11 ans' services law, and has received a discharge other than bad conduct
12 or dishonorable from such service, or is a discharged LGBT veteran, as
13 defined in section [~~three hundred fifty~~] one of the [~~executive~~] veter-
14 ans' services law, and has received a discharge other than bad conduct
15 or dishonorable from such service.

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

30 § 47. Subdivision 1 of section 3202 of the education law, as amended
31 by chapter 490 of the laws of 2019, is amended to read as follows:

32 1. A person over five and under twenty-one years of age who has not
33 received a high school diploma is entitled to attend the public schools
34 maintained in the district in which such person resides without the
35 payment of tuition. Provided further that such person may continue to
36 attend the public school in such district in the same manner, if tempo-
37 rarily residing outside the boundaries of the district when relocation
38 to such temporary residence is a consequence of such person's parent or
39 person in parental relationship being called to active military duty,
40 other than training. Notwithstanding any other provision of law to the
41 contrary, the school district shall not be required to provide transpor-
42 tation between a temporary residence located outside of the school
43 district and the school the child attends. A veteran of any age who
44 shall have served as a member of the armed forces of the United States
45 and who (a) shall have been discharged therefrom under conditions other
46 than dishonorable, or (b) has a qualifying condition, as defined in
47 section [~~three hundred fifty~~] one of the [~~executive~~] veterans' services
48 law, and has received a discharge other than bad conduct or dishonorable
49 from such service, or (c) is a discharged LGBT veteran, as defined in
50 section [~~three hundred fifty~~] one of the [~~executive~~] veterans' services
51 law, and has received a discharge other than bad conduct or dishonorable
52 from such service, may attend any of the public schools of the state
53 upon conditions prescribed by the board of education, and such veterans
54 shall be included in the pupil count for state aid purposes. A nonveter-
55 an under twenty-one years of age who has received a high school diploma
56 shall be permitted to attend classes in the schools of the district in

1 which such person resides or in a school of a board of cooperative
2 educational services upon payment of tuition under such terms and condi-
3 tions as shall be established in regulations promulgated by the commis-
4 sioner; provided, however, that a school district may waive the payment
5 of tuition for such nonveteran, but in any case such a nonveteran who
6 has received a high school diploma shall not be counted for any state
7 aid purposes. Nothing herein contained shall, however, require a board
8 of education to admit a child who becomes five years of age after the
9 school year has commenced unless his or her birthday occurs on or before
10 the first of December.

11 § 48. Clause (h) of subparagraph 3 of paragraph b of subdivision 1 of
12 section 4402 of the education law, as amended by chapter 652 of the laws
13 of 2007, is amended to read as follows:

14 (h) Provide the form developed pursuant to subdivision [~~fifteen~~] twen-
15 ty-two of section [~~three hundred fifty-three~~] four of the [~~executive~~]
16 veterans' services law to the parent or person in parental relation of a
17 child designated by the committee as either disabled or emotionally
18 disturbed.

19 § 49. Subdivision 15 of section 1-104 of the election law, as amended
20 by chapter 490 of the laws of 2019, is amended to read as follows:

21 15. The term "veterans' hospital" means any sanitarium, hospital,
22 soldiers' and sailors' home, United States Veterans' Administration
23 Hospital, or other home or institution, which is used, operated and
24 conducted exclusively for the care, maintenance and treatment of persons
25 serving in the military or naval service or coast guard of the United
26 States or the state of New York, or persons who (a) were honorably
27 discharged from such service, or (b) have a qualifying condition, as
28 defined in section [~~three hundred fifty~~] one of the [~~executive~~] veter-
29 ans' services law, and have received a discharge other than bad conduct
30 or dishonorable from such service, or (c) are a discharged LGBT veteran,
31 as defined in section [~~three hundred fifty~~] one of the [~~executive~~]
32 veterans' services law, and have received a discharge other than bad
33 conduct or dishonorable from such service.

34 § 50. Subdivision 4 of section 5-210 of the election law, as amended
35 by chapter 490 of the laws of 2019, is amended to read as follows:

36 4. Any qualified person who has been honorably discharged from the
37 military after the twenty-fifth day before a general election, or who
38 has a qualifying condition, as defined in section [~~three hundred fifty~~]
39 one of the [~~executive~~] veterans' services law, and has received a
40 discharge other than bad conduct or dishonorable from the military after
41 the twenty-fifth day before a general election, or who is a discharged
42 LGBT veteran, as defined in section [~~three hundred fifty~~] one of the
43 [~~executive~~] veterans' services law, and has received a discharge other
44 than bad conduct or dishonorable from the military after the twenty-
45 fifth day before a general election, or who has become a naturalized
46 citizen after the twenty-fifth day before a general election may
47 personally register at the board of elections in the county of his or
48 her residence and vote in the general election held at least ten days
49 after such registration.

50 § 51. Subdivision 16 of section 11-0305 of the environmental conserva-
51 tion law, as amended by chapter 103 of the laws of 2012, is amended to
52 read as follows:

53 16. Notwithstanding any inconsistent provision of law, to authorize
54 free sport fishing clinics. A free sport fishing clinic shall include,
55 but not be limited to, instruction provided by employees of the depart-
56 ment or its designee in recreational angling, including its benefits and

values, and may also include instruction and other information relevant to an understanding of fisheries management, ethics and aquatic ecology and habitat. No license or recreational marine fishing registration is required to take fish by angling while participating in a fishing clinic conducted by the department or its designee that has been designated by the commissioner as a free sport fishing clinic. Such clinics shall be implemented consistent with department standards and in a manner determined by the department to best provide public notice thereof and to maximize public participation therein, so as to promote the recreational opportunities afforded by sport fishing. Further, the commissioner may designate additional fishing events organized through the department that provide physical or emotional rehabilitation for veterans, as defined in subdivision three of section ~~[three hundred fifty]~~ one of the ~~[executive]~~ veterans' services law, or active duty members of the armed forces of the United States, as defined in 10 U.S.C. section 101(d)(1). No license or recreational marine fishing registration shall be required for such veterans or active duty members to take fish by angling while participating in these events.

§ 52. Subdivision 4 of section 11-0715 of the environmental conservation law, as amended by chapter 490 of the laws of 2019, is amended to read as follows:

4. A person, resident in the state for at least thirty days immediately prior to the date of application, who (a) has been honorably discharged from service in the armed forces of the United States, or (b) has a qualifying condition, as defined in section ~~[three hundred fifty]~~ one of the ~~[executive]~~ veterans' services 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]~~ one of the ~~[executive]~~ veterans' services law, and has received a discharge other than bad conduct or dishonorable from such service, and is certified as having a forty percent or greater service-connected disability is entitled to receive all licenses, privileges, tags, and permits authorized by this title for which he or she is eligible, except turkey permits, renewable each year for a five dollar fee.

§ 53. Subparagraph (iv) of paragraph c of subdivision 1 of section 13-0328 of the environmental conservation law, as amended by chapter 490 of the laws of 2019, is amended to read as follows:

(iv) licenses shall be issued only to persons who demonstrate in a manner acceptable to the department that they received an average of at least fifteen thousand dollars of income over three consecutive years from commercial fishing or fishing, or who successfully complete a commercial food fish apprenticeship pursuant to subdivision seven of this section. As used in this subparagraph, "commercial fishing" means the taking and sale of marine resources including fish, shellfish, crustacea or other marine biota and "fishing" means commercial fishing and carrying fishing passengers for hire. Individuals who wish to qualify based on income from "fishing" must hold a valid marine and coastal district party and charter boat license. No more than ten percent of the licenses issued each year based on income eligibility pursuant to this paragraph shall be issued to applicants who qualify based solely upon income derived from operation of or employment by a party or charter boat. For the income evaluation of this subdivision, the department may consider persons who would otherwise be eligible but for having served in the United States armed forces on active duty, provided that such individual (1) has received an honorable or general discharge, or (2) has a qualifying condition, as defined in section ~~[three hundred fifty]~~

1 ~~one~~ of the [~~executive~~] veterans' services law, and has received a
2 discharge other than bad conduct or dishonorable from such service, or
3 (3) is a discharged LGBT veteran, as defined in section [~~three hundred~~
4 ~~fifty~~] one of the [~~executive~~] veterans' services law, and has received a
5 discharge other than bad conduct or dishonorable from such service,
6 shall not be deemed ineligible.

7 § 54. Subdivision 1 of section 130 of the executive law, as amended by
8 section 2 of part V of chapter 58 of the laws of 2020, is amended to
9 read as follows:

10 1. The secretary of state may appoint and commission as many notaries
11 public for the state of New York as in his or her judgment may be deemed
12 best, whose jurisdiction shall be co-extensive with the boundaries of
13 the state. The appointment of a notary public shall be for a term of
14 four years. An application for an appointment as notary public shall be
15 in form and set forth such matters as the secretary of state shall
16 prescribe. Every person appointed as notary public must, at the time of
17 his or her appointment, be a resident of the state of New York or have
18 an office or place of business in New York state. A notary public who is
19 a resident of the state and who moves out of the state but still main-
20 tains a place of business or an office in New York state does not vacate
21 his or her office as a notary public. A notary public who is a nonresi-
22 dent and who ceases to have an office or place of business in this
23 state, vacates his or her office as a notary public. A notary public who
24 is a resident of New York state and moves out of the state and who does
25 not retain an office or place of business in this state shall vacate his
26 or her office as a notary public. A non-resident who accepts the office
27 of notary public in this state thereby appoints the secretary of state
28 as the person upon whom process can be served on his or her behalf.
29 Before issuing to any applicant a commission as notary public, unless he
30 or she be an attorney and counsellor at law duly admitted to practice in
31 this state or a court clerk of the unified court system who has been
32 appointed to such position after taking a civil service promotional
33 examination in the court clerk series of titles, the secretary of state
34 shall satisfy himself or herself that the applicant is of good moral
35 character, has the equivalent of a common school education and is famil-
36 iar with the duties and responsibilities of a notary public; provided,
37 however, that where a notary public applies, before the expiration of
38 his or her term, for reappointment with the county clerk or where a
39 person whose term as notary public shall have expired applies within six
40 months thereafter for reappointment as a notary public with the county
41 clerk, such qualifying requirements may be waived by the secretary of
42 state, and further, where an application for reappointment is filed with
43 the county clerk after the expiration of the aforementioned renewal
44 period by a person who failed or was unable to re-apply by reason of his
45 or her induction or enlistment in the armed forces of the United States,
46 such qualifying requirements may also be waived by the secretary of
47 state, provided such application for reappointment is made within a
48 period of one year after the military discharge of the applicant under
49 conditions other than dishonorable, or if the applicant has a qualifying
50 condition, as defined in section [~~three hundred fifty of this chapter~~]
51 one of the veterans' services law, within a period of one year after the
52 applicant has received a discharge other than bad conduct or dishonor-
53 able from such service, or if the applicant is a discharged LGBT veter-
54 an, as defined in section [~~three hundred fifty of this chapter~~] one of
55 the veterans' services law, within a period of one year after the appli-
56 cant has received a discharge other than bad conduct or dishonorable

1 from such service. In any case, the appointment or reappointment of any
2 applicant is in the discretion of the secretary of state. The secretary
3 of state may suspend or remove from office, for misconduct, any notary
4 public appointed by him or her but no such removal shall be made unless
5 the person who is sought to be removed shall have been served with a
6 copy of the charges against him or her and have an opportunity of being
7 heard. No person shall be appointed as a notary public under this arti-
8 cle who has been convicted, in this state or any other state or territo-
9 ry, of a crime, unless the secretary makes a finding in conformance with
10 all applicable statutory requirements, including those contained in
11 article twenty-three-A of the correction law, that such convictions do
12 not constitute a bar to appointment.

13 § 55. Subdivision 1 of section 32 of the general business law, as
14 amended by chapter 490 of the laws of 2019, is amended to read as
15 follows:

16 1. Every member of the armed forces of the United States who (a) was
17 honorably discharged from such service, or (b) has a qualifying condi-
18 tion, as defined in section [~~three hundred fifty~~ one] of the [~~executive~~
19 veterans' services] law, and has received a discharge other than bad
20 conduct or dishonorable from such service, or (c) is a discharged LGBT
21 veteran, as defined in section [~~three hundred fifty~~ one] of the [~~execu-~~
22 ~~tive~~] veterans' services] law, and has received a discharge other than
23 bad conduct or dishonorable from such service, and who is a resident of
24 this state and a veteran of any war, or who shall have served in the
25 armed forces of the United States overseas, and the surviving spouse of
26 any such veteran, if a resident of the state, shall have the right to
27 hawk, peddle, vend and sell goods, wares or merchandise or solicit trade
28 upon the streets and highways within the county of his or her residence,
29 as the case may be, or if such county is embraced wholly by a city,
30 within such city, by procuring a license for that purpose to be issued
31 as herein provided. No part of the lands or premises under the jurisdic-
32 tion of the division of the state fair in the department of agriculture
33 and markets, shall be deemed a street or highway within the meaning of
34 this section.

35 § 56. Section 35 of the general business law, as amended by chapter
36 490 of the laws of 2019, is amended to read as follows:

37 § 35. Municipal regulations. This article shall not affect the appli-
38 cation of any ordinance, by-law or regulation of a municipal corporation
39 relating to hawkers and peddlers within the limits of such corporations,
40 but the provisions of this article are to be complied with in addition
41 to the requirements of any such ordinance, by-law or regulation;
42 provided, however, that no such by-law, ordinance or regulation shall
43 prevent or in any manner interfere with the hawking or peddling, without
44 the use of any but a hand driven vehicle, in any street, avenue, alley,
45 lane or park of a municipal corporation, by any honorably discharged
46 member of the armed forces of the United States who (1) was honorably
47 discharged from such service, or (2) has a qualifying condition, as
48 defined in section [~~three hundred fifty~~ one] of the [~~executive~~ veter-
49 ans' services] law, and has received a discharge other than bad conduct
50 or dishonorable from such service, or (3) is a discharged LGBT veteran,
51 as defined in section [~~three hundred fifty~~ one] of the [~~executive~~
52 veterans' services] law, and has received a discharge other than bad
53 conduct or dishonorable from such service, and who is physically disa-
54 bled as a result of injuries received while in the service of said armed
55 forces and the holder of a license granted pursuant to section thirty-
56 two of this article.

§ 57. Paragraph (a) of subdivision 1 of section 35-a of the general business law, as amended by chapter 490 of the laws of 2019, is amended to read as follows:

(a) In cities having a population of one million or more, the official designated by a local law or ordinance to issue a local license to hawk, peddle, vend and sell goods, wares or merchandise or solicit trade upon the streets and highways within such city shall issue specialized vending licenses to members of the armed forces of the United States who (i) were honorably discharged from such service, or (ii) have a qualifying condition, as defined in section ~~[three hundred fifty]~~ one of the ~~[executive]~~ veterans' services law, and received a discharge other than bad conduct or dishonorable from such service, or (iii) are a discharged LGBT veteran, as defined in section ~~[three hundred fifty]~~ one of the ~~[executive]~~ veterans' services law, and received a discharge other than bad conduct or dishonorable from such service, and who are physically disabled as a result of injuries received while in the service of said armed forces and who are eligible to hold licenses granted pursuant to section thirty-two of this article. Such specialized vending licenses shall authorize holders thereof to hawk or peddle within such city in accordance with the provisions contained in this section. Specialized vending licenses issued under this section shall permit the holders thereof to vend on any block face, and no licensee authorized under this section shall be restricted in any way from vending in any area, except as provided in this section.

§ 58. Paragraph (b) of subdivision 3 of section 69-p of the general business law, as amended by chapter 490 of the laws of 2019, is amended to read as follows:

(b) In the case of persons who are or were in the military service and (i) have been or will be discharged under conditions other than dishonorable, or (ii) have a qualifying condition, as defined in section ~~[three hundred fifty]~~ one of the ~~[executive]~~ veterans' services law, and received a discharge other than bad conduct or dishonorable from such service, or (iii) are discharged LGBT veterans, as defined in section ~~[three hundred fifty]~~ one of the ~~[executive]~~ veterans' services law, and have received a discharge other than bad conduct or dishonorable from such service, the period of two years specified in subdivision one of this section need not be continuous. The length of time such person was engaged in the business of installing, servicing or maintaining security or fire alarm systems before entering the military service may be added to any period of time during which such person was or is engaged in the business of installing, servicing or maintaining security or fire alarm systems after the termination of military service.

§ 59. The closing paragraph of section 435 of the general business law, as amended by chapter 490 of the laws of 2019, is amended to read as follows:

In the case of persons who are or were in the military service and (a) have been or will be discharged under conditions other than dishonorable, or (b) have a qualifying condition, as defined in section ~~[three hundred fifty]~~ one of the ~~[executive]~~ veterans' services law, and received a discharge other than bad conduct or dishonorable from such service, or (c) are discharged LGBT veterans, as defined in section ~~[three hundred fifty]~~ one of the ~~[executive]~~ veterans' services law, and have received a discharge other than bad conduct or dishonorable from such service, the period of one year specified in subdivision one of this section and the period of six months specified in subdivision two of this section need not be continuous. The length of time such person

1 was engaged in the practice of barbering before entering the military
2 service may be added to any period of time during which such person was
3 or is engaged in the practice of barbering after the termination of
4 military service.

5 § 60. Section 13-a of the general construction law, as amended by
6 chapter 490 of the laws of 2019, is amended to read as follows:

7 § 13-a. Armed forces of the United States. "Armed forces of the United
8 States" means the army, navy, marine corps, air force and coast guard,
9 including all components thereof, and the national guard when in the
10 service of the United States pursuant to call as provided by law.
11 Pursuant to this definition no person shall be considered a member or
12 veteran of the armed forces of the United States unless his or her
13 service therein is or was on a full-time active duty basis, other than
14 active duty for training or he or she was employed by the War Shipping
15 Administration or Office of Defense Transportation or their agents as a
16 merchant seaman documented by the United States Coast Guard or Depart-
17 ment of Commerce, or as a civil servant employed by the United States
18 Army Transport Service (later redesignated as the United States Army
19 Transportation Corps, Water Division) or the Naval Transportation
20 Service; and who served satisfactorily as a crew member during the peri-
21 od of armed conflict, December seventh, nineteen hundred forty-one, to
22 August fifteenth, nineteen hundred forty-five, aboard merchant vessels
23 in oceangoing, i.e., foreign, intercoastal, or coastwise service as such
24 terms are defined under federal law (46 USCA 10301 & 10501) and further
25 to include "near foreign" voyages between the United States and Canada,
26 Mexico, or the West Indies via ocean routes, or public vessels in ocean-
27 going service or foreign waters and who has received a Certificate of
28 Release or Discharge from Active Duty and a discharge certificate, or an
29 Honorable Service Certificate/Report of Casualty, from the Department of
30 Defense or he or she served as a United States civilian employed by the
31 American Field Service and served overseas under United States Armies
32 and United States Army Groups in world war II during the period of armed
33 conflict, December seventh, nineteen hundred forty-one through May
34 eighth, nineteen hundred forty-five, and (i) was discharged or released
35 therefrom under honorable conditions, or (ii) has a qualifying condi-
36 tion, as defined in section [~~three hundred fifty~~] one of the [~~executive~~]
37 veterans' services law, and has received a discharge other than bad
38 conduct or dishonorable from such service, or (iii) is a discharged LGBT
39 veteran, as defined in section [~~three hundred fifty~~] one of the [~~execu-~~
40 ~~tive~~] veterans' services law, and has received a discharge other than
41 bad conduct or dishonorable from such service, or he or she served as a
42 United States civilian Flight Crew and Aviation Ground Support Employee
43 of Pan American World Airways or one of its subsidiaries or its affil-
44 iates and served overseas as a result of Pan American's contract with
45 Air Transport Command or Naval Air Transport Service during the period
46 of armed conflict, December fourteenth, nineteen hundred forty-one
47 through August fourteenth, nineteen hundred forty-five, and (iv) was
48 discharged or released therefrom under honorable conditions, or (v) has
49 a qualifying condition, as defined in section [~~three hundred fifty~~] one
50 of the [~~executive~~] veterans' services law, and has received a discharge
51 other than bad conduct or dishonorable from such service, or (vi) is a
52 discharged LGBT veteran, as defined in section [~~three hundred fifty~~] one
53 of the [~~executive~~] veterans' services law, and has received a discharge
54 other than bad conduct or dishonorable from such service.

§ 61. Subdivision 1 of section 77 of the general municipal law, as amended by chapter 490 of the laws of 2019, is amended to read as follows:

1. A municipal corporation may lease, for not exceeding five years, to a post or posts of the Grand Army of the Republic, Veterans of Foreign Wars of the United States, American Legion, Catholic War Veterans, Inc., Disabled American Veterans, the Army and Navy Union, U.S.A., Marine Corps League, AMVETS, American Veterans of World War II, Jewish War Veterans of the United States, Inc., Italian American War Veterans of the United States, Incorporated, Masonic War Veterans of the State of New York, Inc., Veterans of World War I of the United States of America Department of New York, Inc., Polish-American Veterans of World War II, Amsterdam, N.Y., Inc., Polish-American Veterans of World War II, Schenectady, N.Y., Inc., Polish Legion of American Veterans, Inc., Vietnam Veterans of America or other veteran organization of members of the armed forces of the United States who (a) were honorably discharged from such service or (b) have a qualifying condition, as defined in section ~~[three hundred fifty]~~ one of the ~~[executive]~~ veterans' services law, and received a discharge other than bad conduct or dishonorable from such service, or (c) are discharged LGBT veterans, as defined in section ~~[three hundred fifty]~~ one of the ~~[executive]~~ veterans' services law, and received a discharge other than bad conduct or dishonorable from such service, or to an incorporated organization or an association of either active or exempt volunteer firefighters, a public building or part thereof, belonging to such municipal corporation, except schoolhouses in actual use as such, without expense, or at a nominal rent, fixed by the board or council having charge of such buildings and provide furniture and furnishings, and heat, light and janitor service therefor, in like manner.

§ 62. Paragraph (a) of subdivision 1 of section 148 of the general municipal law, as amended by chapter 490 of the laws of 2019, is amended to read as follows:

(a) The board of supervisors in each of the counties, or the board of estimate in the city of New York, shall designate some proper person, association or commission, other than that designated for the care of burial of public charges or criminals, who shall cause to be interred the body of any member of the armed forces of the United States who (i) was honorably discharged from such service or (ii) had a qualifying condition, as defined in section ~~[three hundred fifty]~~ one of the ~~[executive]~~ veterans' services law, and received a discharge other than bad conduct or dishonorable from such service, or (iii) was a discharged LGBT veteran, as defined in section ~~[three hundred fifty]~~ one of the ~~[executive]~~ veterans' services law, and received a discharge other than bad conduct or dishonorable from such service, or the body of any minor child or either parent, or the spouse or unremarried surviving spouse of any such member of the armed forces of the United States, if such person shall hereafter die in a county or in the city of New York without leaving sufficient means to defray his or her funeral expenses.

§ 63. Section 117-c of the highway law, as amended by chapter 490 of the laws of 2019, is amended to read as follows:

§ 117-c. Hawking, peddling, vending, sale of goods, wares or merchandise; Erie county; certain areas. Notwithstanding any law to the contrary, except section thirty-five of the general business law, the county of Erie shall have the power to enact a local law prohibiting hawking, peddling, vending and sale of goods, wares or merchandise or solicitation of trade in the right-of-way of county roads adjacent to arenas,

1 stadiums, auditoriums or like facilities, which contain fifty thousand
2 or more seats, which are used for events likely to attract large numbers
3 of spectators, including but not limited to home games of a National
4 Football League franchise. Provided, however, that the power to enact
5 such local law shall be subject to the requirement that provision be
6 made, by lease agreement, regulation or otherwise, for the hawking,
7 peddling, vending and sales of goods, wares or merchandise or solici-
8 tation of trade in designated vending areas on the ground of county-owned
9 lands leased for use as an arena, stadium or auditorium or like facility
10 which contain fifty thousand or more seats; and further provided that
11 members of the armed forces of the United States who (a) were honorably
12 discharged from such service, or (b) have a qualifying condition, as
13 defined in section ~~[three hundred fifty]~~ one of the ~~[executive]~~ veter-
14 ans' services law, and received a discharge other than bad conduct or
15 dishonorable from such service, or (c) are discharged LGBT veterans, as
16 defined in section ~~[three hundred fifty]~~ one of the ~~[executive]~~ veter-
17 ans' services law, and received a discharge other than bad conduct or
18 dishonorable from such service, and who are entitled to hawk, vend, sell
19 or peddle merchandise in the public right-of-way pursuant to sections
20 thirty-two and thirty-five of the general business law, shall be given
21 first preference in any assignment or vending locations or in the allo-
22 cation of such locations.

23 § 64. Paragraph 11 of subsection (j) of section 2103 of the insurance
24 law, as amended by chapter 490 of the laws of 2019, is amended to read
25 as follows:

26 (11) No license fee shall be required of any person who served as a
27 member of the armed forces of the United States at any time and who (A)
28 shall have been discharged therefrom, under conditions other than
29 dishonorable, or (B) has a qualifying condition, as defined in section
30 ~~[three hundred fifty]~~ one of the ~~[executive]~~ veterans' services law, and
31 has received a discharge other than bad conduct or dishonorable from
32 such service, or (C) is a discharged LGBT veteran, as defined in section
33 ~~[three hundred fifty]~~ one of the ~~[executive]~~ veterans' services law, and
34 has received a discharge other than bad conduct or dishonorable from
35 such service, in a current licensing period, for the duration of such
36 period.

37 § 65. Subparagraph (F) of paragraph 3 of subsection (e) and paragraph
38 2 of subsection (f) of section 2104 of the insurance law, as amended by
39 chapter 490 of the laws of 2019, are amended to read as follows:

40 (F) served as a member of the armed forces of the United States at any
41 time, and shall (i) have been discharged under conditions other than
42 dishonorable, or (ii) has a qualifying condition, as defined in section
43 ~~[three hundred fifty]~~ one of the ~~[executive]~~ veterans' services law, and
44 has received a discharge other than bad conduct or dishonorable from
45 such service, or (iii) is a discharged LGBT veteran, as defined in
46 section ~~[three hundred fifty]~~ one of the ~~[executive]~~ veterans' services
47 law, and has received a discharge other than bad conduct or dishonorable
48 from such service, and who within three years prior to his or her entry
49 into the armed forces held a license as insurance broker for similar
50 lines, provided his or her application for such license is filed before
51 one year from the date of final discharge; or

52 (2) No license fee shall be required of any person who served as a
53 member of the armed forces of the United States at any time, and who (A)
54 shall have been discharged, under conditions other than dishonorable, or
55 (B) has a qualifying condition, as defined in section ~~[three hundred~~
56 ~~fifty]~~ one of the ~~[executive]~~ veterans' services law, and has received a

1 discharge other than bad conduct or dishonorable from such service, or
2 (C) is a discharged LGBT veteran, as defined in section [~~three hundred~~
3 ~~fifty~~] one of the [~~executive~~] veterans' services law, and has received a
4 discharge other than bad conduct or dishonorable from such service, in a
5 current licensing period, for the duration of such period.

6 § 66. Paragraph 2 of subsection (i) of section 2108 of the insurance
7 law, as amended by chapter 490 of the laws of 2019, is amended to read
8 as follows:

9 (2) No license fee shall be required of any person who served as a
10 member of the armed forces of the United States at any time and who (A)
11 shall have been discharged, under conditions other than dishonorable, or
12 (B) has a qualifying condition, as defined in section [~~three hundred~~
13 ~~fifty~~] one of the [~~executive~~] veterans' services law, and has received a
14 discharge other than bad conduct or dishonorable from such service, or
15 (C) is a discharged LGBT veteran, as defined in section [~~three hundred~~
16 ~~fifty~~] one of the [~~executive~~] veterans' services law, and has received a
17 discharge other than bad conduct or dishonorable from such service, in a
18 current licensing period, for the duration of such period.

19 § 67. Paragraph 10 of subsection (h) of section 2137 of the insurance
20 law, as amended by chapter 490 of the laws of 2019, is amended to read
21 as follows:

22 (10) No license fee shall be required of any person who served as a
23 member of the armed forces of the United States at any time and who (A)
24 shall have been discharged therefrom, under conditions other than
25 dishonorable, or (B) has a qualifying condition, as defined in section
26 [~~three hundred fifty~~] one of the [~~executive~~] veterans' services law, and
27 has received a discharge other than bad conduct or dishonorable from
28 such service, or (C) is a discharged LGBT veteran, as defined in section
29 [~~three hundred fifty~~] one of the [~~executive~~] veterans' services law, and
30 has received a discharge other than bad conduct or dishonorable from
31 such service, in a current licensing period, for the duration of such
32 period.

33 § 68. Paragraph 11 of subsection (i) of section 2139 of the insurance
34 law, as amended by chapter 490 of the laws of 2019, is amended to read
35 as follows:

36 (11) No license fee shall be required of any person who served as a
37 member of the armed forces of the United States at any time, and who (A)
38 shall have been discharged therefrom under conditions other than
39 dishonorable, or (B) has a qualifying condition, as defined in section
40 [~~three hundred fifty~~] one of the [~~executive~~] veterans' services law, and
41 has received a discharge other than bad conduct or dishonorable from
42 such service, or (C) is a discharged LGBT veteran, as defined in section
43 [~~three hundred fifty~~] one of the [~~executive~~] veterans' services law, and
44 has received a discharge other than bad conduct or dishonorable from
45 such service, in a current licensing period for the duration of such
46 period.

47 § 69. Section 466 of the judiciary law, as amended by chapter 490 of
48 the laws of 2019, is amended to read as follows:

49 § 466. Attorney's oath of office. 1. Each person, admitted as
50 prescribed in this chapter must, upon his or her admission, take the
51 constitutional oath of office in open court, and subscribe the same in a
52 roll or book, to be kept in the office of the clerk of the appellate
53 division of the supreme court for that purpose.

54 2. Any person now in actual service in the armed forces of the United
55 States or whose induction or enlistment therein is imminent, or within
56 sixty days after such person (1) has been honorably discharged, or (2)

1 has received a discharge other than bad conduct or dishonorable from
2 such service, if such person has a qualifying condition, as defined in
3 section [~~three hundred fifty~~ one of the [~~executive~~ veterans' services
4 law, or (3) has received a discharge other than bad conduct or dishonor-
5 able from such service, if such person is a discharged LGBT veteran, as
6 defined in section [~~three hundred fifty~~ one of the [~~executive~~ veter-
7 ans' services law, if the appellate division of the supreme court in the
8 department in which such person resides is not in session, may subscribe
9 and take the oath before a justice of that court, with the same force
10 and effect as if it were taken in open court, except that in the first
11 department the oath must be taken before the presiding justice or, in
12 his or her absence, before the senior justice.

13 § 70. Subdivision 3 of section 20 of the military law, as amended by
14 chapter 490 of the laws of 2019, is amended to read as follows:

15 3. Any person who has served as a commissioned or warrant officer in
16 the organized militia or in the armed forces of the United States and
17 (a) has been honorably discharged therefrom, or (b) has a qualifying
18 condition, as defined in section [~~three hundred fifty~~ one of the [~~exec-~~
19 utive] veterans' services law, and has received a discharge other than
20 bad conduct or dishonorable from such service, or (c) is a discharged
21 LGBT veteran, as defined in section [~~three hundred fifty~~ one of the
22 [~~executive~~ veterans' services law, and has received a discharge other
23 than bad conduct or dishonorable from such service, may be commissioned
24 and placed on the state reserve list in the highest grade previously
25 held by him or her after complying with such conditions as may be
26 prescribed by regulations issued pursuant to this chapter.

27 § 71. Paragraphs (b) and (c) of subdivision 1 and subparagraphs 1 and
28 2 of paragraph (a) of subdivision 4-b of section 243 of the military
29 law, as amended by chapter 490 of the laws of 2019, are amended to read
30 as follows:

31 (b) The term "military duty" shall mean military service in the mili-
32 tary, naval, aviation or marine service of the United States subsequent
33 to July first, nineteen hundred forty, or service under the selective
34 training and service act of nineteen hundred forty, or the national
35 guard and reserve officers mobilization act of nineteen hundred forty,
36 or any other act of congress supplementary or amendatory thereto, or any
37 similar act of congress hereafter enacted and irrespective of the fact
38 that such service was entered upon following a voluntary enlistment
39 therefor or was required under one of the foregoing acts of congress, or
40 service with the United States public health service as a commissioned
41 officer, or service with the American Red Cross while with the armed
42 forces of the United States on foreign service, or service with the
43 special services section of the armed forces of the United States on
44 foreign service, or service in the merchant marine which shall consist
45 of service as an officer or member of the crew on or in connection with
46 a vessel documented under the laws of the United States or a vessel
47 owned by, chartered to, or operated by or for the account or use of the
48 government of the United States, or service by one who was employed by
49 the War Shipping Administration or Office of Defense Transportation or
50 their agents as a merchant seaman documented by the United States Coast
51 Guard or Department of Commerce, or as a civil servant employed by the
52 United States Army Transport Service (later redesignated as the United
53 States Army Transportation Corps, Water Division) or the Naval Transpor-
54 tation Service; and who served satisfactorily as a crew member during
55 the period of armed conflict, December seventh, nineteen hundred forty-
56 one, to August fifteenth, nineteen hundred forty-five, aboard merchant

1 vessels in oceangoing, i.e., foreign, intercoastal, or coastwise service
2 as such terms are defined under federal law (46 USCA 10301 & 10501) and
3 further to include "near foreign" voyages between the United States and
4 Canada, Mexico, or the West Indies via ocean routes, or public vessels
5 in oceangoing service or foreign waters and who has received a Certifi-
6 cate of Release or Discharge from Active Duty and a discharge certifi-
7 cate, or an Honorable Service Certificate/Report of Casualty, from the
8 Department of Defense, or who served as a United States civilian
9 employed by the American Field Service and served overseas under United
10 States Armies and United States Army Groups in world war II during the
11 period of armed conflict, December seventh, nineteen hundred forty-one
12 through May eighth, nineteen hundred forty-five, and who (i) was
13 discharged or released therefrom under honorable conditions, or (ii) has
14 a qualifying condition, as defined in section [~~three hundred fifty~~] one
15 of the [~~executive~~] veterans' services law, and has received a discharge
16 other than bad conduct or dishonorable from such service, or (iii) is a
17 discharged LGBT veteran, as defined in section [~~three hundred fifty~~] one
18 of the [~~executive~~] veterans' services law, and has received a discharge
19 other than bad conduct or dishonorable from such service, or who served
20 as a United States civilian Flight Crew and Aviation Ground Support
21 Employee of Pan American World Airways or one of its subsidiaries or its
22 affiliates and served overseas as a result of Pan American's contract
23 with Air Transport Command or Naval Air Transport Service during the
24 period of armed conflict, December fourteenth, nineteen hundred forty-
25 one through August fourteenth, nineteen hundred forty-five, and who (iv)
26 was discharged or released therefrom under honorable conditions, or (v)
27 has a qualifying condition, as defined in section [~~three hundred fifty~~] one
28 of the [~~executive~~] veterans' services law, and has received a
29 discharge other than bad conduct or dishonorable from such service, or
30 (vi) is a discharged LGBT veteran, as defined in section [~~three hundred~~
31 ~~fifty~~] one of the [~~executive~~] veterans' services law, and has received a
32 discharge other than bad conduct or dishonorable from such service; or
33 service in police duty on behalf of the United States government in a
34 foreign country, if such person is a police officer, as defined by
35 section 1.20 of the criminal procedure law, and if such police officer
36 obtained the prior consent of his or her public employer to absent
37 himself or herself from his or her position to engage in the performance
38 of such service; or as an enrollee in the United States maritime service
39 on active duty and, to such extent as may be prescribed by or under the
40 laws of the United States, any period awaiting assignment to such
41 service and any period of education or training for such service in any
42 school or institution under the jurisdiction of the United States
43 government, but shall not include temporary and intermittent gratuitous
44 service in any reserve or auxiliary force. It shall include time spent
45 in reporting for and returning from military duty and shall be deemed to
46 commence when the public employee leaves his or her position and to end
47 when he or she is reinstated to his or her position, provided such rein-
48 statement is within ninety days after the termination of military duty,
49 as hereinafter defined. Notwithstanding the foregoing provisions of this
50 paragraph, the term "military duty" shall not include any of the forego-
51 ing services entered upon voluntarily on or after January first, nine-
52 teen hundred forty-seven and before June twenty-fifth, nineteen hundred
53 fifty; and, on or after July first, nineteen hundred seventy, the term
54 "military duty" shall not include any voluntary service in excess of
55 four years performed after that date, or the total of any voluntary
56 services, additional or otherwise, in excess of four years performed

1 after that date, shall not exceed five years, if the service in excess
2 of four years is at the request and for the convenience of the federal
3 government, except if such voluntary service is performed during a peri-
4 od of war, or national emergency declared by the president.

5 (c) The term "termination of military duty" shall mean the date of a
6 certificate of honorable discharge or a certificate of completion of
7 training and service as set forth in the selective training and service
8 act of nineteen hundred forty, and the national guard and reserve offi-
9 cers mobilization act of nineteen hundred forty or, or a certificate of
10 release or discharge from active duty where an employee (i) has a quali-
11 fying condition, as defined in section [~~three hundred fifty~~] one of the
12 [~~executive~~] veterans' services law, and has received a discharge other
13 than bad conduct or dishonorable from such service, or (ii) is a
14 discharged LGBT veteran, as defined in section [~~three hundred fifty~~] one
15 of the [~~executive~~] veterans' services law, and has received a discharge
16 other than bad conduct or dishonorable from such service, or in the
17 event of the incurrence of a temporary disability arising out of and in
18 the course of such military duty, the date of termination of such disa-
19 bility. The existence and termination of such temporary disability, in
20 the case of a public employee occupying a position in the classified
21 civil service or of a person on an eligible list for a position in such
22 service, shall be determined by the civil service commission having
23 jurisdiction over such position and, in the case of a public employee
24 occupying a position not in the classified civil service, shall be
25 determined by the officer or body having the power of appointment.

26 (1) "New York city veteran of world war II". Any member of the New
27 York city employees' retirement system in city-service who, after his or
28 her last membership in such system began, served as a member of the
29 armed forces of the United States during the period beginning on Decem-
30 ber seventh, nineteen hundred forty-one and ending on December thirty-
31 first, nineteen hundred forty-six, and (i) was honorably discharged or
32 released under honorable circumstances from such service, or (ii) has a
33 qualifying condition, as defined in section [~~three hundred fifty~~] one of
34 the [~~executive~~] veterans' services law, and has received a discharge
35 other than bad conduct or dishonorable from such service, or (iii) is a
36 discharged LGBT veteran, as defined in section [~~three hundred fifty~~] one
37 of the [~~executive~~] veterans' services law, and has received a discharge
38 other than bad conduct or dishonorable from such service.

39 (2) "New York city veteran of the Korean conflict." Any member of the
40 New York city employees' retirement system in city-service who, after
41 his or her last membership in such system began, served as a member of
42 the armed forces of the United States during the period beginning on the
43 twenty-seventh of June, nineteen hundred fifty and ending on the thir-
44 ty-first day of January, nineteen hundred fifty-five, and (i) was honor-
45 ably discharged or released under honorable circumstances from such
46 service, or (ii) has a qualifying condition, as defined in section
47 [~~three hundred fifty~~] one of the [~~executive~~] veterans' services law, and
48 has received a discharge other than bad conduct or dishonorable from
49 such service, or (iii) is a discharged LGBT veteran, as defined in
50 section [~~three hundred fifty~~] one of the [~~executive~~] veterans' services
51 law, and has received a discharge other than bad conduct or dishonorable
52 from such service.

53 § 72. Section 245 of the military law, as amended by chapter 490 of
54 the laws of 2019, is amended to read as follows:

55 § 245. Retirement allowances of certain war veterans. 1. Any member
56 of a teachers' retirement system to which the city of New York is

1 required by law to make contributions on account of such member who (i)
2 is an honorably discharged member of any branch of the armed forces of
3 the United States, or (ii) has a qualifying condition, as defined in
4 section ~~[three hundred fifty]~~ one of the ~~[executive]~~ veterans' services
5 law, and has received a discharge other than bad conduct or dishonor-
6 able, or (iii) is a discharged LGBT veteran, as defined in section
7 ~~[three hundred fifty]~~ one of the ~~[executive]~~ veterans' services law, and
8 has received a discharge other than bad conduct or dishonorable, having
9 served as such during the time of war and who has attained the age of
10 fifty years, may retire upon his or her own request upon written appli-
11 cation to the board setting forth at what time not less than thirty days
12 subsequent to the execution and filing thereof he or she desires to be
13 retired, provided that such member at the time so specified for his or
14 her retirement shall have completed at least twenty-five years of allow-
15 able service. Upon retirement such member shall receive an annuity of
16 equivalent actuarial value to his or her accumulated deductions, and, in
17 addition, a pension beginning immediately, having a value equal to the
18 present value of the pension that would have become payable had he or
19 she continued at his or her current salary to the age at which he or she
20 would have first become eligible for service retirement, provided,
21 however, that the said member on making application for retirement shall
22 pay into the retirement fund a sum of money which calculated on an actu-
23 arial basis, together with his or her prior contributions and other
24 accumulations in said fund then to his or her credit, shall be suffi-
25 cient to entitle the said member to the same annuity and pension that he
26 or she would have received had he or she remained in the service of the
27 city until he or she had attained the age at which he or she otherwise
28 would have first become eligible for service retirement.

29 2. Notwithstanding any other provision of this section or of any
30 general, special or local law or code to the contrary, a member of any
31 such teachers' retirement system who (i) is separated or discharged
32 under honorable conditions from any branch of the armed forces of the
33 United States, or (ii) has a qualifying condition, as defined in section
34 ~~[three hundred fifty]~~ one of the ~~[executive]~~ veterans' services law, and
35 has received a discharge other than bad conduct or dishonorable, or
36 (iii) is a discharged LGBT veteran, as defined in section ~~[three hundred~~
37 ~~fifty]~~ one of the ~~[executive]~~ veterans' services law, and has received a
38 discharge other than bad conduct or dishonorable, having served as such
39 during the time of war and who has attained the age of fifty years, may
40 retire upon his or her own request upon written application to the board
41 setting forth at what time, not less than thirty days subsequent to the
42 execution and filing thereof, he or she desires to be retired, provided
43 that such member at that time so specified for his or her retirement
44 shall have completed at least twenty-five years of allowable service.
45 Upon reaching his or her previously selected minimum retirement age,
46 such member shall receive an annuity of equivalent actuarial value, at
47 that time, to his or her accumulated deductions, and, in addition, a
48 pension based upon his or her credited years of allowable service, plus
49 the pension-for-increased-take-home-pay, if any. Should such member die
50 before reaching his or her retirement age, then any beneficiary under a
51 selected option shall be eligible for benefits under such option at the
52 date upon which the member would have reached his or her selected
53 retirement age.

54 § 73. Subdivision 1-b of section 247 of the military law, as amended
55 by chapter 490 of the laws of 2019, is amended to read as follows:

1 1-b. The adjutant general is hereby authorized to present in the name
2 of the legislature of the state of New York, a certificate, to be known
3 as the "Cold War Certificate", bearing a suitable inscription, to any
4 person: (i) who is a citizen of the state of New York or (ii) who was a
5 citizen of the state of New York while serving in the armed forces of
6 the United States; (iii) who served in the United States Armed Forces
7 during the period of time from September second, nineteen hundred
8 forty-five through December twenty-sixth, nineteen hundred ninety-one,
9 commonly known as the Cold War Era; and (iv) who was honorably
10 discharged or released under honorable circumstances during the Cold War
11 Era, or has a qualifying condition, as defined in section [~~three hundred~~
12 ~~fifty~~] one of the [~~executive~~] veterans' services law, and received a
13 discharge other than bad conduct or dishonorable during the Cold War
14 Era, or is a discharged LGBT veteran, as defined in section [~~three~~
15 ~~hundred fifty~~] one of the [~~executive~~] veterans' services law, and
16 received a discharge other than bad conduct or dishonorable during the
17 Cold War Era. Not more than one Cold War Certificate shall be awarded or
18 presented, under the provisions of this subdivision, to any person whose
19 entire service subsequent to the time of the receipt of such medal shall
20 not have been honorable. In the event of the death of any person during
21 or subsequent to the receipt of such certificate it shall be presented
22 to such representative of the deceased as may be designated. The adju-
23 tant general, in consultation with the [~~director~~] commissioner of the
24 [~~division~~] department of veterans' services, shall make such rules and
25 regulations as may be deemed necessary for the proper presentation and
26 distribution of the certificate.

27 § 74. Section 249 of the military law, as amended by chapter 490 of
28 the laws of 2019, is amended to read as follows:

29 § 249. State and municipal officers and employees granted leaves of
30 absence on July fourth in certain cases. Each officer and employee of
31 the state or of a municipal corporation or of any other political subdivi-
32 sion thereof who was a member of the national guard or naval militia
33 or a member of the reserve corps at a time when the United States was
34 not at war and who (i) has been honorably discharged therefrom, or (ii)
35 has a qualifying condition, as defined in section [~~three hundred fifty~~]
36 one of the [~~executive~~] veterans' services law, and has received a
37 discharge other than bad conduct or dishonorable from such service, or
38 (iii) is a discharged LGBT veteran, as defined in section [~~three hundred~~
39 ~~fifty~~] one of the [~~executive~~] veterans' services law, and has received a
40 discharge other than bad conduct or dishonorable from such service,
41 shall, in so far as practicable, be entitled to absent himself or
42 herself from [~~his~~] duties or service, with pay, on July fourth of each
43 year. Notwithstanding the provisions of any general, special or local
44 law or the provisions of any city charter, no such officer or employee
45 shall be subjected by any person whatever directly or indirectly by
46 reason of such absence to any loss or diminution of vacation or holiday
47 privilege or be prejudiced by reason of such absence with reference to
48 promotion or continuance in office or employment or to reappointment to
49 office or to re-employment.

50 § 75. Subparagraph 2 of paragraph b of subdivision 1 of section 156 of
51 the public housing law, as amended by chapter 490 of the laws of 2019,
52 is amended to read as follows:

53 (2) (i) have been thereafter discharged or released therefrom under
54 conditions other than dishonorable, or (ii) have a qualifying condition,
55 as defined in section [~~three hundred fifty~~] one of the [~~executive~~]
56 veterans' services law, and have received a discharge other than bad

1 conduct or dishonorable from such service, or (iii) are discharged LGBT
2 veterans, as defined in section [~~three hundred fifty~~ one] of the [~~execu-~~
3 ~~tive~~] veterans' services law, and have received a discharge other than
4 bad conduct or dishonorable from such service, or (iv) died in such
5 service, not more than five years prior to the time of application for
6 admission to such project, and

7 § 76. The opening paragraph and paragraph (d) of subdivision 1 of
8 section 2632 of the public health law, as amended by chapter 490 of the
9 laws of 2019, are amended to read as follows:

10 Every veteran of the armed forces of the United States, who (i) (A)
11 was separated or discharged under honorable conditions after serving on
12 active duty therein for a period of not less than thirty days, or (B)
13 has a qualifying condition, as defined in section [~~three hundred fifty~~
14 one] of the [~~executive~~] veterans' services law, and has received a
15 discharge other than bad conduct or dishonorable after serving on active
16 duty therein for a period of not less than thirty days, or (C) is a
17 discharged LGBT veteran, as defined in section [~~three hundred fifty~~ one
18 of the [~~executive~~] veterans' services law, and has received a discharge
19 other than bad conduct or dishonorable after serving on active duty
20 therein for a period of not less than thirty days, or (ii) (A) was sepa-
21 rated or discharged under honorable conditions after serving on active
22 duty therein for a period of not less than thirty days or (B) has a
23 qualifying condition, as defined in section [~~three hundred fifty~~ one]
24 of the [~~executive~~] veterans' services law, and has received a discharge
25 other than bad conduct or dishonorable after serving on active duty
26 therein for a period of not less than thirty days, or (C) is a
27 discharged LGBT veteran, as defined in section [~~three hundred fifty~~ one
28 of the [~~executive~~] veterans' services law, and has received a discharge
29 other than bad conduct or dishonorable after serving on active duty
30 therein for a period of not less than thirty days, and who was a recipi-
31 ent of the armed forces expeditionary medal, navy expeditionary medal or
32 marine corps expeditionary medal for participation in operations in
33 Lebanon from June first, nineteen hundred eighty-three to December
34 first, nineteen hundred eighty-seven, in Grenada from October twenty-
35 third, nineteen hundred eighty-three to November twenty-first, nineteen
36 hundred eighty-three, or in Panama from December twentieth, nineteen
37 hundred eighty-nine to January thirty-first, nineteen hundred ninety, or
38 in Bosnia and Herzegovina from November twenty-first, nineteen hundred
39 ninety-five to November first, two thousand seven, or was a recipient of
40 the Kosovo campaign medal or (iii) (A) was separated or discharged under
41 honorable conditions after serving on active duty therein for a period
42 of not less than thirty days or (B) has a qualifying condition, as
43 defined in section [~~three hundred fifty~~ one] of the [~~executive~~] veter-
44 ans' services law, and has received a discharge other than bad conduct
45 or dishonorable after serving on active duty therein for a period of not
46 less than thirty days, or (C) is a discharged LGBT veteran, as defined
47 in section [~~three hundred fifty~~ one] of the [~~executive~~] veterans'
48 services law, and has received a discharge other than bad conduct or
49 dishonorable after serving on active duty therein for a period of not
50 less than thirty days, and who served during the period of actual
51 hostilities of either

52 (d) world war II between December seventh, nineteen hundred forty-one
53 and December thirty-first, nineteen hundred forty-six, both inclusive,
54 or who was employed by the War Shipping Administration or Office of
55 Defense Transportation or their agents as a merchant seaman documented
56 by the United States Coast Guard or Department of Commerce, or as a

1 civil servant employed by the United States Army Transport Service
2 (later redesignated as the United States Army Transportation Corps,
3 Water Division) or the Naval Transportation Service; and who served
4 satisfactorily as a crew member during the period of armed conflict,
5 December seventh, nineteen hundred forty-one, to August fifteenth, nine-
6 teen hundred forty-five, aboard merchant vessels in oceangoing, i.e.,
7 foreign, intercoastal, or coastwise service as such terms are defined
8 under federal law (46 USCA 10301 & 10501) and further to include "near
9 foreign" voyages between the United States and Canada, Mexico, or the
10 West Indies via ocean routes, or public vessels in oceangoing service or
11 foreign waters and who has received a Certificate of Release or
12 Discharge from Active Duty and a discharge certificate, or an Honorable
13 Service Certificate/Report of Casualty, from the Department of Defense,
14 or who served as a United States civilian employed by the American Field
15 Service and served overseas under United States Armies and United States
16 Army Groups in world war II during the period of armed conflict, Decem-
17 ber seventh, nineteen hundred forty-one through May eighth, nineteen
18 hundred forty-five, and who (i) was discharged or released therefrom
19 under honorable conditions, or (ii) has a qualifying condition, as
20 defined in section [~~three hundred fifty~~ one] of the [~~executive~~ veter-
21 ans' services] law, and has received a discharge other than bad conduct
22 or dishonorable from such service, or (iii) is a discharged LGBT veter-
23 an, as defined in section [~~three hundred fifty~~ one] of the [~~executive~~ veterans'
24 services] law, and has received a discharge other than bad
25 conduct or dishonorable from such service, or who served as a United
26 States civilian Flight Crew and Aviation Ground Support Employee of Pan
27 American World Airways or one of its subsidiaries or its affiliates and
28 served overseas as a result of Pan American's contract with Air Trans-
29 port Command or Naval Air Transport Service during the period of armed
30 conflict, December fourteenth, nineteen hundred forty-one through August
31 fourteenth, nineteen hundred forty-five, and who (iv) was discharged or
32 released therefrom under honorable conditions, or (v) has a qualifying
33 condition, as defined in section [~~three hundred fifty~~ one] of the [~~exec-~~
34 utive] veterans' services law, and has received a discharge other than
35 bad conduct or dishonorable from such service, or (vi) is a discharged
36 LGBT veteran, as defined in section [~~three hundred fifty~~ one] of the
37 [~~executive~~ veterans' services] law, and has received a discharge other
38 than bad conduct or dishonorable from such service; or

39 § 77. Subdivision 5 of section 2805-b of the public health law, as
40 amended by section 21 of part AA of chapter 56 of the laws of 2019, is
41 amended to read as follows:

42 5. The staff of a general hospital shall: (a) inquire whether or not
43 the person admitted has served in the United States armed forces. Such
44 information shall be listed on the admissions form; (b) notify any
45 admittee who is a veteran of the possible availability of services at a
46 hospital operated by the United States veterans health administration,
47 and, upon request by the admittee, such staff shall make arrangements
48 for the individual's transfer to a United States veterans health admin-
49 istration hospital, provided, however, that transfers shall be author-
50 ized only after it has been determined, according to accepted clinical
51 and medical standards, that the patient's condition has stabilized and
52 transfer can be accomplished safely and without complication; and (c)
53 provide any admittee who has served in the United States armed forces
54 with a copy of the "Information for Veterans concerning Health Care
55 Options" fact sheet, maintained by the [~~division~~ department] of veter-
56 ans' services pursuant to subdivision [~~twenty-three~~ twenty-nine] of

1 section [~~three hundred fifty three~~ four] of the [~~executive~~] veterans'
2 services law prior to discharging or transferring the patient. The
3 commissioner shall promulgate rules and regulations for notifying such
4 admittees of possible available services and for arranging a requested
5 transfer.

6 § 78. Subdivision 2 of section 2805-o of the public health law, as
7 amended by chapter 609 of the laws of 2021, is amended to read as
8 follows:

9 2. Every nursing home, residential health care facility and assisted
10 living residences shall in writing advise all individuals identifying
11 themselves as veterans or spouses of veterans that the [~~division~~]
12 department of veterans' services and local veterans' service agencies
13 established pursuant to section [~~three hundred fifty seven~~ fourteen]
14 of the [~~executive~~] veterans' services law to provide assistance to veterans
15 and their spouses regarding benefits under federal and state law. Such
16 written information shall include the name, address and telephone number
17 of the New York state [~~division~~] department of veterans' services, the
18 nearest [~~division~~] department of veterans' services office, the nearest
19 county or city veterans' service agency and the nearest accredited
20 veterans' service officer.

21 § 79. Subdivision 3 of section 3422 of the public health law, as
22 amended by chapter 490 of the laws of 2019, is amended to read as
23 follows:

24 3. A candidate who fails to attain a passing grade on his or her
25 licensing examination is entitled to a maximum of three re-examinations;
26 provided, however, that if such candidate fails to attain a passing
27 grade within three years after completion of his or her training, he or
28 she must requalify in accordance with the provisions of the public
29 health law and rules and regulations promulgated thereunder existing and
30 in force as of the date of subsequent application for licensing examina-
31 tion, except that a satisfactorily completed required course of study
32 need not be recompleted. A candidate inducted into the armed forces of
33 the United States during or after completion of training may (a) after
34 honorable discharge or (b) after a discharge other than bad conduct or
35 dishonorable where the candidate (i) has a qualifying condition, as
36 defined in section [~~three hundred fifty~~ one] of the [~~executive~~] veter-
37 ans' services law, or (ii) is a discharged LGBT veteran, as defined in
38 section [~~three hundred fifty~~ one] of the [~~executive~~] veterans' services
39 law, and upon proper application as required by the department be eligi-
40 ble for an exemption with respect to time served in such service.

41 § 80. Section 63 of the public officers law, as amended by chapter 606
42 of the laws of 2021, is amended to read as follows:

43 § 63. Leave of absence for veterans on Memorial day and Veterans' day.
44 It shall be the duty of the head of every public department and of every
45 court of the state of New York, of every superintendent or foreman on
46 the public works of said state, of the county officers of the several
47 counties of said state, of the town officers of the various towns in
48 this state, of the fire district officers of the various fire districts
49 in this state, and of the head of every department, bureau and office in
50 the government of the various cities and villages in this state, and the
51 officers of any public benefit corporation or any public authority of
52 this state, or of any public benefit corporation or public authority of
53 any county or subdivision of this state, to give leave of absence with
54 pay for twenty-four hours on the day prescribed by law as a public holi-
55 day for the observance of Memorial day and on the eleventh day of Novem-
56 ber, known as Veterans' day, to every person in the service of the

1 state, the county, the town, the fire district, the city or village, the
2 public benefit corporation or public authority of this state, or any
3 public benefit corporation or public authority of any county or subdivi-
4 sion of this state, as the case may be, (i) who served on active duty in
5 the armed forces of the United States during world war I or world war
6 II, or who was employed by the War Shipping Administration or Office of
7 Defense Transportation or their agents as a merchant seaman documented
8 by the United States Coast Guard or Department of Commerce, or as a
9 civil servant employed by the United States Army Transport Service
10 (later redesignated as the United States Army Transportation Corps,
11 Water Division) or the Naval Transportation Service; and who served
12 satisfactorily as a crew member during the period of armed conflict,
13 December seventh, nineteen hundred forty-one, to August fifteenth, nine-
14 teen hundred forty-five, aboard merchant vessels in oceangoing, i.e.,
15 foreign, intercoastal, or coastwise service as such terms are defined
16 under federal law (46 USCA 10301 & 10501) and further to include "near
17 foreign" voyages between the United States and Canada, Mexico, or the
18 West Indies via ocean routes, or public vessels in oceangoing service or
19 foreign waters and who has received a Certificate of Release or
20 Discharge from Active Duty and a discharge certificate, or an Honorable
21 Service Certificate/Report of Casualty, from the Department of Defense,
22 or who served as a United States civilian employed by the American Field
23 Service and served overseas under United States Armies and United States
24 Army Groups in world war II during the period of armed conflict, Decem-
25 ber seventh, nineteen hundred forty-one through May eighth, nineteen
26 hundred forty-five, and who (a) was discharged or released therefrom
27 under honorable conditions, or (b) has a qualifying condition, as
28 defined in section [~~three hundred fifty~~ one] of the [~~executive~~ veter-
29 ans' services] law, and has received a discharge other than bad conduct
30 or dishonorable from such service, or (c) is a discharged LGBT veteran,
31 as defined in section [~~three hundred fifty~~ one] of the [~~executive~~
32 veterans' services] law, and has received a discharge other than bad
33 conduct or dishonorable from such service or who served as a United
34 States civilian Flight Crew and Aviation Ground Support Employee of Pan
35 American World Airways or one of its subsidiaries or its affiliates and
36 served overseas as a result of Pan American's contract with Air Trans-
37 port Command or Naval Air Transport Service during the period of armed
38 conflict, December fourteenth, nineteen hundred forty-one through August
39 fourteenth, nineteen hundred forty-five, and who (d) was discharged or
40 released therefrom under honorable conditions, or (e) has a qualifying
41 condition, as defined in section [~~three hundred fifty~~ one] of the [~~exec-~~
42 utive] veterans' services] law, and has received a discharge other than
43 bad conduct or dishonorable from such service, or (f) is a discharged
44 LGBT veteran, as defined in section [~~three hundred fifty~~ one] of the
45 [~~executive~~] veterans' services] law, and has received a discharge other
46 than bad conduct or dishonorable from such service or during the period
47 of the Korean conflict at any time between the dates of June twenty-sev-
48 enth, nineteen hundred fifty and January thirty-first, nineteen hundred
49 fifty-five, or during the period of the Vietnam conflict from the twen-
50 ty-eighth day of February, nineteen hundred sixty-one to the seventh day
51 of May, nineteen hundred seventy-five, or (ii) who served on active duty
52 in the armed forces of the United States and who was a recipient of the
53 armed forces expeditionary medal, navy expeditionary medal or marine
54 corps expeditionary medal for participation in operations in Lebanon
55 from June first, nineteen hundred eighty-three to December first, nine-
56 teen hundred eighty-seven, in Grenada from October twenty-third, nine-

teen hundred eighty-three to November twenty-first, nineteen hundred eighty-three, or in Panama from December twentieth, nineteen hundred eighty-nine to January thirty-first, nineteen hundred ninety, or (iii) who served in the armed forces of a foreign country allied with the United States during world war I or world war II, or during the period of the Korean conflict at any time between June twenty-seventh, nineteen hundred fifty and January thirty-first, nineteen hundred fifty-five, or during the period of the Vietnam conflict from the first day of November, nineteen hundred fifty-five to the seventh day of May, nineteen hundred seventy-five, or during the period of the Persian Gulf conflict from the second day of August, nineteen hundred ninety to the end of such conflict, or who served on active duty in the army or navy or marine corps or air force or coast guard of the United States, and who (a) was honorably discharged or separated from such service under honorable conditions, or (b) has a qualifying condition, as defined in section ~~[three hundred fifty]~~ one of the ~~[executive]~~ veterans' services 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]~~ one of the ~~[executive]~~ veterans' services law, and has received a discharge other than bad conduct or dishonorable from such service except where such action would endanger the public safety or the safety or health of persons cared for by the state, in which event such persons shall be entitled to leave of absence with pay on another day in lieu thereof. All such persons who are compensated on a per diem, hourly, semi-monthly or monthly basis, with or without maintenance, shall also be entitled to leave of absence with pay under the provisions of this section and no deduction in vacation allowance or budgetary allowable number of working days shall be made in lieu thereof. A refusal to give such leave of absence to one entitled thereto shall be neglect of duty.

§ 81. Subdivision 3 of section 1271 of the private housing finance law, as amended by chapter 490 of the laws of 2019, is amended to read as follows:

3. "Veteran" shall mean a resident of this state who (a) has served in the United States army, navy, marine corps, air force or coast guard or (b) has served on active duty or ordered to active duty as defined in 10 USC 101 (d)(1) as a member of the national guard or other reserve component of the armed forces of the United States or (c) has served on active duty or ordered to active duty for the state, as a member of the state organized militia as defined in subdivision nine of section one of the military law, and has been released from such service documented by an honorable or general discharge, or has a qualifying condition, as defined in section ~~[three hundred fifty]~~ one of the ~~[executive]~~ veterans' services law, and has received a discharge other than bad conduct or dishonorable from such service, or is a discharged LGBT veteran, as defined in section ~~[three hundred fifty]~~ one of the ~~[executive]~~ veterans' services law, and has received a discharge other than bad conduct or dishonorable from such service.

§ 82. Subdivisions 2 and 4-a of section 458 of the real property tax law, as amended by chapter 490 of the laws of 2019, are amended to read as follows:

2. Real property purchased with moneys collected by popular subscription in partial recognition of extraordinary services rendered by any veteran of world war one, world war two, or of the hostilities which commenced June twenty-seventh, nineteen hundred fifty, who (a) was honorably discharged from such service, or (b) has a qualifying condi-

tion, as defined in section [~~three hundred fifty~~ one] of the [~~executive~~ veterans' services] 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~~ one] of the [~~executive~~ veterans' services] law, and has received a discharge other than bad conduct or dishonorable from such service, and who sustained permanent disability while on military duty, either total or partial, and owned by the person who sustained such injuries, or by his or her spouse or unremarried surviving spouse, or dependent father or mother, is subject to taxation as herein provided. Such property shall be assessed in the same manner as other real property in the tax district. At the meeting of the assessors to hear complaints concerning the assessments, a verified application for the exemption of such real property from taxation may be presented to them by or on behalf of the owner thereof, which application must show the facts on which the exemption is claimed, including the amount of moneys so raised and used in or toward the purchase of such property. No exemption on account of any such gift shall be allowed in excess of five thousand dollars. The application for exemption shall be presented and action thereon taken in the manner provided by subdivision one of this section. If no application for exemption be granted, the property shall be subject to taxation for all purposes. The provisions herein, relating to the assessment and exemption of property purchased with moneys raised by popular subscription, apply and shall be enforced in each municipal corporation authorized to levy taxes.

4-a. For the purposes of this section, the term "military or naval services" shall be deemed to also include service: (a) by a person who was employed by the War Shipping Administration or Office of Defense Transportation or their agents as a merchant seaman documented by the United States Coast Guard or Department of Commerce, or as a civil servant employed by the United States Army Transport Service (later redesignated as the United States Army Transportation Corps, Water Division) or the Naval Transportation Service; and who served satisfactorily as a crew member during the period of armed conflict, December seventh, nineteen hundred forty-one, to August fifteenth, nineteen hundred forty-five, aboard merchant vessels in oceangoing, i.e., foreign, intercoastal, or coastwise service as such terms are defined under federal law (46 USCA 10301 & 10501) and further to include "near foreign" voyages between the United States and Canada, Mexico, or the West Indies via ocean routes, or public vessels in oceangoing service or foreign waters and who has received a Certificate of Release or Discharge from Active Duty and a discharge certificate, or an Honorable Service Certificate/Report of Casualty, from the department of defense; (b) service by a United States civilian employed by the American Field Service who served overseas under United States Armies and United States Army Groups in world war II during the period of armed conflict, December seventh, nineteen hundred forty-one through May eighth, nineteen hundred forty-five, and who (i) was discharged or released therefrom under honorable conditions, or (ii) has a qualifying condition, as defined in section [~~three hundred fifty~~ one] of the [~~executive~~ veterans' services] law, and has received a discharge other than bad conduct or dishonorable from such service, or (iii) is a discharged LGBT veteran, as defined in section [~~three hundred fifty~~ one] of the [~~executive~~ veterans' services] law, and has received a discharge other than bad conduct or dishonorable from such service; or (c) service by a United States civilian Flight Crew and Aviation Ground Support Employee of Pan

1 American World Airways or one of its subsidiaries or its affiliates who
2 served overseas as a result of Pan American's contract with Air Trans-
3 port Command or Naval Air Transport Service during the period of armed
4 conflict, December fourteenth, nineteen hundred forty-one through August
5 fourteenth, nineteen hundred forty-five, and who (i) was discharged or
6 released therefrom under honorable conditions, or (ii) has a qualifying
7 condition, as defined in section ~~[three hundred fifty]~~ one of the ~~[exec-~~
8 ~~utive]~~ veterans' services law, and has received a discharge other than
9 bad conduct or dishonorable from such service, or (iii) is a discharged
10 LGBT veteran, as defined in section ~~[three hundred fifty]~~ one of the
11 ~~[executive]~~ veterans' services law, and has received a discharge other
12 than bad conduct or dishonorable from such service.

13 § 83. Paragraph (e) of subdivision 1 and subdivisions 9 and 10 of
14 section 458-a of the real property tax law, paragraph (e) of subdivision
15 1 and subdivision 10 as amended by chapter 490 of the laws of 2019,
16 subdivision 9 as amended by section 36 of part AA of chapter 56 of the
17 laws of 2019, are amended to read as follows:

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

1 United States civilian Flight Crew and Aviation Ground Support Employee
2 of Pan American World Airways or one of its subsidiaries or its affil-
3 iates and served overseas as a result of Pan American's contract with
4 Air Transport Command or Naval Air Transport Service during the period
5 of armed conflict, December fourteenth, nineteen hundred forty-one
6 through August fourteenth, nineteen hundred forty-five, and who (1) was
7 discharged or released therefrom under honorable conditions, or (2) has
8 a qualifying condition, as defined in section [~~three hundred fifty~~] one
9 of the [~~executive~~] veterans' services law, and has received a discharge
10 other than bad conduct or dishonorable from such service, or (3) is a
11 discharged LGBT veteran, as defined in section [~~three hundred fifty~~] one
12 of the [~~executive~~] veterans' services law, and has received a discharge
13 other than bad conduct or dishonorable from such service, or (v)
14 notwithstanding any other provision of law to the contrary, who are
15 members of the reserve components of the armed forces of the United
16 States who (1) received an honorable discharge or release therefrom
17 under honorable conditions, or (2) has a qualifying condition, as
18 defined in section [~~three hundred fifty~~] one of the [~~executive~~] veter-
19 ans' services law, and has received a discharge other than bad conduct
20 or dishonorable from such service, or (3) is a discharged LGBT veteran,
21 as defined in section [~~three hundred fifty~~] one of the [~~executive~~]
22 veterans' services law, and has received a discharge other than bad
23 conduct or dishonorable from such service, but are still members of the
24 reserve components of the armed forces of the United States provided
25 that such members meet all other qualifications under the provisions of
26 this section.

27 9. The commissioner shall develop in consultation with the [~~director~~]
28 commissioner of the New York state [~~division~~] department of veterans'
29 services a listing of documents to be used to establish eligibility
30 under this section, including but not limited to a certificate of
31 release or discharge from active duty also known as a DD-214 form or an
32 Honorable Service Certificate/Report of [~~Causality~~] Casualty from the
33 department of defense. Such information shall be made available to each
34 county, city, town or village assessor's office, or congressional char-
35 tered veterans service officers who request such information. The list-
36 ing of acceptable military records shall be made available on the inter-
37 net websites of the [~~division~~] department of veterans' services and the
38 office of real property tax services.

39 10. A county, city, town, village or school district may adopt a local
40 law or resolution to include those military personnel who served in the
41 Reserve component of the United States Armed Forces that were deemed on
42 active duty under Executive Order 11519 signed March twenty-third, nine-
43 teen hundred seventy, 35 Federal Register 5003, dated March twenty-
44 fourth, nineteen hundred seventy and later designated by the United
45 States Department of Defense as Operation Graphic Hand, if such member
46 (1) was discharged or released therefrom under honorable conditions, or
47 (2) has a qualifying condition, as defined in section [~~three hundred~~]
48 fifty] one of the [~~executive~~] veterans' services law, and has received a
49 discharge other than bad conduct or dishonorable from such service, or
50 (3) is a discharged LGBT veteran, as defined in section [~~three hundred~~]
51 fifty] one of the [~~executive~~] veterans' services law, and has received a
52 discharge other than bad conduct or dishonorable from such service,
53 provided that such veteran meets all other qualifications of this
54 section.

55 § 84. Paragraph (a) of subdivision 1 and subdivision 8 of section
56 458-b of the real property tax law, paragraph (a) of subdivision 1 as

1 amended by chapter 490 of the laws of 2019, subdivision 8 as amended by
2 section 37 of part AA of chapter 56 of the laws of 2019, are amended to
3 read as follows:

4 (a) "Cold War veteran" means a person, male or female, who served on
5 active duty in the United States armed forces, during the time period
6 from September second, nineteen hundred forty-five to December twenty-
7 sixth, nineteen hundred ninety-one, and (i) was discharged or released
8 therefrom under honorable conditions, or (ii) has a qualifying condi-
9 tion, as defined in section ~~[three hundred fifty]~~ one of the ~~[executive]~~
10 veterans' services law, and has received a discharge other than bad
11 conduct or dishonorable from such service, or (iii) is a discharged LGBT
12 veteran, as defined in section ~~[three hundred fifty]~~ one of the ~~[execu-~~
13 ~~tive]~~ veterans' services law, and has received a discharge other than
14 bad conduct or dishonorable from such service.

15 8. The commissioner shall develop in consultation with the ~~[director]~~
16 commissioner of the New York state ~~[division]~~ department of veterans'
17 services a listing of documents to be used to establish eligibility
18 under this section, including but not limited to a certificate of
19 release or discharge from active duty also known as a DD-214 form or an
20 Honorable Service Certificate/Report of ~~[Causality]~~ Casualty from the
21 department of defense. Such information shall be made available to each
22 county, city, town or village assessor's office, or congressional char-
23 tered veterans service officers who request such information. The list-
24 ing of acceptable military records shall be made available on the inter-
25 net websites of the ~~[division]~~ department of veterans' services and the
26 office of real property tax services.

27 § 85. Subparagraph (v) of paragraph (a) of subdivision 1 of section
28 122 of the social services law, as amended by chapter 490 of the laws of
29 2019, is amended to read as follows:

30 (v) any alien lawfully residing in the state who is on active duty in
31 the armed forces (other than active duty for training) or who (1) has
32 received an honorable discharge (and not on account of alienage) from
33 the armed forces, or (2) has a qualifying condition, as defined in
34 section ~~[three hundred fifty]~~ one of the ~~[executive]~~ veterans' services
35 law, and has received a discharge other than bad conduct or dishonorable
36 (and not on account of alienage) from the armed forces, or (3) is a
37 discharged LGBT veteran, as defined in section ~~[three hundred fifty]~~ one
38 of the ~~[executive]~~ veterans' services law, and has received a discharge
39 other than bad conduct or dishonorable (and not on account of alienage)
40 from the armed forces, or the spouse, unremarried surviving spouse or
41 unmarried dependent child of any such alien, if such alien, spouse or
42 dependent child is a qualified alien as defined in section 431 of the
43 federal personal responsibility and work opportunity reconciliation act
44 of 1996 (8 U.S. Code 1641), as amended;

45 § 86. Subdivision 1 and paragraph 5 of subdivision 2 of section 168 of
46 the social services law, as amended by chapter 490 of the laws of 2019,
47 are amended to read as follows:

48 1. Veteran means a person, male or female, who has served in the armed
49 forces of the United States in time of war, or who was a recipient of
50 the armed forces expeditionary medal, navy expeditionary medal or marine
51 corps expeditionary medal for participation in operations in Lebanon
52 from June first, nineteen hundred eighty-three to December first, nine-
53 teen hundred eighty-seven, in Grenada from October twenty-third, nine-
54 teen hundred eighty-three to November twenty-first, nineteen hundred
55 eighty-three, or in Panama from December twentieth, nineteen hundred
56 eighty-nine to January thirty-first, nineteen hundred ninety, and who

(1) has been honorably discharged or released under honorable circumstances from such service or furloughed to the reserve, or (2) has a qualifying condition, as defined in section ~~[three hundred fifty]~~ one of the ~~[executive]~~ veterans' services law, and has received a discharge other than bad conduct or dishonorable from such service, or (3) is a discharged LGBT veteran, as defined in section ~~[three hundred fifty]~~ one of the ~~[executive]~~ veterans' services law, and has received a discharge other than bad conduct or dishonorable from such service.

(5) World war II; from the seventh day of December, nineteen hundred forty-one to and including the thirty-first day of December, nineteen hundred forty-six, or who was employed by the War Shipping Administration or Office of Defense Transportation or their agents as a merchant seaman documented by the United States Coast Guard or Department of Commerce, or as a civil servant employed by the United States Army Transport Service (later redesignated as the United States Army Transportation Corps, Water Division) or the Naval Transportation Service; and who served satisfactorily as a crew member during the period of armed conflict, December seventh, nineteen hundred forty-one, to August fifteenth, nineteen hundred forty-five, aboard merchant vessels in oceangoing, i.e., foreign, intercoastal, or coastwise service as such terms are defined under federal law (46 USCA 10301 & 10501) and further to include "near foreign" voyages between the United States and Canada, Mexico, or the West Indies via ocean routes, or public vessels in oceangoing service or foreign waters and who has received a Certificate of Release or Discharge from Active Duty and a discharge certificate, or an Honorable Service Certificate/Report of Casualty, from the Department of Defense or who served as a United States civilian employed by the American Field Service and served overseas under United States Armies and United States Army Groups in world war II during the period of armed conflict, December seventh, nineteen hundred forty-one through May eighth, nineteen hundred forty-five, and who (i) was discharged or released therefrom under honorable conditions, or (ii) has a qualifying condition, as defined in section ~~[three hundred fifty]~~ one of the ~~[executive]~~ veterans' services law, and has received a discharge other than bad conduct or dishonorable from such service, or (iii) is a discharged LGBT veteran, as defined in section ~~[three hundred fifty]~~ one of the ~~[executive]~~ veterans' services law, and has received a discharge other than bad conduct or dishonorable from such service, or who served as a United States civilian Flight Crew and Aviation Ground Support Employee of Pan American World Airways or one of its subsidiaries or its affiliates and served overseas as a result of Pan American's contract with Air Transport Command or Naval Air Transport Service during the period of armed conflict, December fourteenth, nineteen hundred forty-one through August fourteenth, nineteen hundred forty-five, and who (iv) was discharged or released therefrom under honorable conditions, or (v) has a qualifying condition, as defined in section ~~[three hundred fifty]~~ one of the ~~[executive]~~ veterans' services law, and has received a discharge other than bad conduct or dishonorable from such service, or (vi) is a discharged LGBT veteran, as defined in section ~~[three hundred fifty]~~ one of the ~~[executive]~~ veterans' services law, and has received a discharge other than bad conduct or dishonorable from such service.

§ 87. Subparagraph 1 of paragraph (b) of subdivision 29 of section 210-B of the tax law, as amended by chapter 490 of the laws of 2019, is amended to read as follows:

(1) who served on active duty in the United States army, navy, air force, marine corps, coast guard or the reserves thereof, or who served

1 in active military service of the United States as a member of the army
2 national guard, air national guard, New York guard or New York naval
3 militia; who (i) was released from active duty by general or honorable
4 discharge after September eleventh, two thousand one, or (ii) has a
5 qualifying condition, as defined in section [~~three hundred fifty~~] one of
6 the [~~executive~~] veterans' services law, and has received a discharge
7 other than bad conduct or dishonorable from such service after September
8 eleventh, two thousand one, or (iii) is a discharged LGBT veteran, as
9 defined in section [~~three hundred fifty~~] one of the [~~executive~~] veter-
10 ans' services law, and has received a discharge other than bad conduct
11 or dishonorable from such service after September eleventh, two thousand
12 one;

13 § 88. Subparagraph (A) of paragraph 2 of subsection (a-2) of section
14 606 of the tax law, as amended by chapter 490 of the laws of 2019, is
15 amended to read as follows:

16 (A) who served on active duty in the United States army, navy, air
17 force, marine corps, coast guard or the reserves thereof, or who served
18 in active military service of the United States as a member of the army
19 national guard, air national guard, New York guard or New York naval
20 militia; who (i) was released from active duty by general or honorable
21 discharge after September eleventh, two thousand one, or (ii) has a
22 qualifying condition, as defined in section [~~three hundred fifty~~] one of
23 the [~~executive~~] veterans' services law, and has received a discharge
24 other than bad conduct or dishonorable from such service after September
25 eleventh, two thousand one, or (iii) is a discharged LGBT veteran, as
26 defined in section [~~three hundred fifty~~] one of the [~~executive~~] veter-
27 ans' services law, and has received a discharge other than bad conduct
28 or dishonorable from such service after September eleventh, two thousand
29 one;

30 § 89. Paragraph 18-a of subdivision (a) of section 1115 of the tax
31 law, as added by chapter 478 of the laws of 2016, is amended to read as
32 follows:

33 (18-a) Tangible personal property manufactured and sold by a veteran,
34 as defined in section [~~three hundred sixty-four~~] twenty-two of the
35 [~~executive~~] veterans' services law, for the benefit of a veteran's
36 service organization, provided that such person or any member of his or
37 her household does not conduct a trade or business in which similar
38 items are sold, the first two thousand five hundred dollars of receipts
39 from such sales in a calendar year.

40 § 90. Subparagraph (A) of paragraph 2 of subdivision (g-1) of section
41 1511 of the tax law, as amended by chapter 490 of the laws of 2019, is
42 amended to read as follows:

43 (A) who served on active duty in the United States army, navy, air
44 force, marine corps, coast guard or the reserves thereof, or who served
45 in active military service of the United States as a member of the army
46 national guard, air national guard, New York guard or New York naval
47 militia; who (i) was released from active duty by general or honorable
48 discharge after September eleventh, two thousand one, or (ii) has a
49 qualifying condition, as defined in section [~~three hundred fifty~~] one of
50 the [~~executive~~] veterans' services law, and has received a discharge
51 other than bad conduct or dishonorable from such service after September
52 eleventh, two thousand one, or (iii) is a discharged LGBT veteran, as
53 defined in section [~~three hundred fifty~~] one of the [~~executive~~] veter-
54 ans' services law, and has received a discharge other than bad conduct
55 or dishonorable from such service after September eleventh, two thousand
56 one;

§ 91. Section 295 of the town law, as amended by chapter 490 of the laws of 2019, is amended to read as follows:

§ 295. Removal of remains of deceased members of armed forces. Upon a verified petition presented to a judge of a court of record by any armed forces' organization in any town or city in this state by a majority of its officers, or a majority of any memorial committee in any town or city where there are two or more veteran armed forces' organizations, or in towns or cities where there are no veteran armed forces' organizations, upon the petition of five or more veterans of the armed forces, the judge to whom said verified petition is presented shall make an order to show cause, returnable before him or her at a time and place within the county in not less than fourteen or more than twenty days from the date of presentation of said petition, why the remains of any deceased members of the armed forces buried in potter's field, or in any neglected or abandoned cemeteries, should not be removed to and reinterred in a properly kept incorporated cemetery in the same town or city or in a town adjoining the town or city in which the remains of a deceased member of the armed forces are buried, and to fix the amount of the expenses for such removal and reinterment, and the order to show cause shall provide for its publication in a newspaper, to be designated in the order, which is published nearest to the cemetery from which the removal is sought to be made, once in each week for two successive weeks. The verified petition presented to the judge shall show that the petitioners are a majority of the officers of a veteran armed forces organization, or a majority of a memorial committee in towns or cities where two or more veteran armed forces organizations exist, or that the petitioners are honorably discharged veterans of the armed forces in towns or cities where no veteran armed forces organization exists, or that the petitioners have a qualifying condition, as defined in section ~~[three hundred fifty]~~ one of the ~~[executive]~~ veterans' services law, and received a discharge other than bad conduct or dishonorable from such service and are in towns or cities where no veteran armed forces organizations exist, or that the petitioners are discharged LGBT veterans, as defined in section ~~[three hundred fifty]~~ one of the ~~[executive]~~ veterans' services law, and received a discharge other than bad conduct or dishonorable from such service and are in towns and cities where no veteran armed forces organizations exist, and (1) the name of the deceased member or members of the armed forces, whose remains are sought to be removed, and if known the unit in which he, she or they served; (2) the name and location of the cemetery in which he or she is interred and from which removal is asked to be made; (3) the name and location of the incorporated cemetery to which the remains are desired to be removed and reinterred; (4) the facts showing the reasons for such removal. Upon the return day of the order to show cause and at the time and place fixed in said order, upon filing proof of publication of the order to show cause with the judge, if no objection is made thereto, he or she shall make an order directing the removal of the remains of said deceased member or members of the armed forces to the cemetery designated in the petition within the town or city or within a town adjoining the town or city in which the remains are then buried and shall specify in the order the amount of the expenses of such removal, which expenses of removal and reinterment, including the expense of the proceeding under this section, shall be a charge upon the county in which the town or city is situated from which the removal is made and such expenses shall be a county charge and audited by the board of supervisors of the county and paid in the same manner as other county charges. On and after

1 the removal and reinterment of the remains of the deceased member or
2 members of the armed forces in the armed forces' plot, the expenses for
3 annual care of the grave in the armed forces' burial plot to which the
4 removal is made shall be annually provided by the town or city in which
5 the remains were originally buried, at the rate of not to exceed twenty
6 dollars per grave, and shall be paid annually to the incorporated ceme-
7 tery association to which the remains of each deceased member of the
8 armed forces may be removed and reinterred. The petition and order shall
9 be filed in the county clerk's office of the county in which the remains
10 of the deceased member of the armed forces were originally interred, and
11 the service of a certified copy of the final order upon the cemetery
12 association shall be made prior to any removal. Any relative of the
13 deceased member or members of the armed forces, or the officer of any
14 cemetery association in which the remains of the deceased member or
15 members of the armed forces were originally interred, or the authorities
16 of the county in which the member or members of the armed forces were
17 originally buried, may oppose the granting of said order and the judge
18 shall summarily hear the statement of the parties and make such order as
19 the justice and equity of the application shall require. Any headstone
20 or monument which marks the grave of the deceased member of the armed
21 forces shall be removed and reset at the grave in the cemetery in which
22 the removal is permitted to be made and in each case the final order
23 shall provide the amount of the expenses of such removals and reinter-
24 ment and resetting of the headstone or monument, including the expenses
25 of the proceedings under this section; except that where provision is
26 otherwise made for the purchase or erection of a new headstone, monument
27 or marker at the grave in the cemetery to which such removal is permit-
28 ted, such old headstone or monument need not be so removed and reset, in
29 which case such final order shall not provide for the expense of reset-
30 ting. The order shall designate the person or persons having charge of
31 the removals and reinterments. Upon completion of the removal, reinter-
32 ment and resetting of the headstones or monuments, the person or persons
33 having charge of the same shall make a verified report of the removal,
34 reinterment and resetting of the headstone or monument and file the
35 report in the clerk's office of the proper county. The words "member of
36 the armed forces" shall be construed to mean a member of the armed forc-
37 es who served in the armed forces of the United States and who (5) was
38 honorably discharged from such service, or (6) has a qualifying condi-
39 tion, as defined in section [~~three hundred fifty~~ one] of the [~~executive~~
40 veterans' services] law, and has received a discharge other than bad
41 conduct or dishonorable from such service, or (7) is a discharged LGBT
42 veteran, as defined in section [~~three hundred fifty~~ one] of the [~~execu-~~
43 tive] veterans' services law, and has received a discharge other than
44 bad conduct or dishonorable from such service, and the words "armed
45 forces plot" shall be construed to mean a plot of land in any incorpo-
46 rated cemetery set apart to be exclusively used as a place for interring
47 the remains of deceased veterans of the armed forces of the United
48 States.

49 § 92. Subdivision 2 of section 404-v of the vehicle and traffic law,
50 as amended by chapter 490 of the laws of 2019, is amended to read as
51 follows:

52 2. The distinctive plate authorized pursuant to this section shall be
53 issued upon proof, satisfactory to the commissioner, that the applicant
54 is a veteran who served in the United States Naval Armed Guard and who
55 (1) was honorably discharged from such service, or (2) has a qualifying
56 condition, as defined in section [~~three hundred fifty~~ one] of the [~~exec-~~

1 ~~utive~~ veterans' services law, and has received a discharge other than
2 bad conduct or dishonorable from such service, or (3) is a discharged
3 LGBT veteran, as defined in section ~~[three hundred fifty]~~ one of the
4 ~~[executive]~~ veterans' services law, and has received a discharge other
5 than bad conduct or dishonorable from such service.

6 § 93. Subdivision 3 of section 404-v of the vehicle and traffic law,
7 as amended by section 19 of part AA of chapter 56 of the laws of 2019,
8 is amended to read as follows:

9 3. A distinctive plate issued pursuant to this section shall be issued
10 in the same manner as other number plates upon the payment of the regu-
11 lar registration fee prescribed by section four hundred one of this
12 article, provided, however, that an additional annual service charge of
13 fifteen dollars shall be charged for such plate. Such annual service
14 charge shall be deposited to the credit of the Eighth Air Force Histor-
15 ical Society fund established pursuant to section ninety-five-f of the
16 state finance law and shall be used for veterans' counseling services
17 provided by local veterans' service agencies pursuant to section ~~[three~~
18 ~~hundred fifty seven]~~ fourteen of the ~~[executive]~~ veterans' services law
19 under the direction of the ~~[division]~~ department of veterans' services.
20 Provided, however, that one year after the effective date of this
21 section funds in the amount of five thousand dollars, or so much thereof
22 as may be available, shall be allocated to the department to offset
23 costs associated with the production of such license plates.

24 § 94. Paragraphs (a) and (b) of subdivision 1 of section 404-w of the
25 vehicle and traffic law, as amended by chapter 490 of the laws of 2019,
26 are amended to read as follows:

27 (a) a person who served in the armed forces of the United States in
28 the hostilities that occurred in the Persian Gulf from the eleventh day
29 of September, two thousand one, to the end of such hostilities, who (i)
30 was discharged therefrom under other than dishonorable conditions, or
31 (ii) has a qualifying condition, as defined in section ~~[three hundred~~
32 ~~fifty]~~ one of the ~~[executive]~~ veterans' services law, and has received a
33 discharge other than bad conduct or dishonorable from such service, or
34 (iii) is a discharged LGBT veteran, as defined in section ~~[three hundred~~
35 ~~fifty]~~ one of the ~~[executive]~~ veterans' services law, and has received a
36 discharge other than bad conduct or dishonorable from such service; or

37 (b) a person who served in the armed forces of the United States in
38 the hostilities that occurred in Afghanistan from the eleventh day of
39 September, two thousand one, to the end of such hostilities, who (i) was
40 discharged therefrom under other than dishonorable conditions, or (ii)
41 has a qualifying condition, as defined in section ~~[three hundred fifty]~~
42 one of the ~~[executive]~~ veterans' services law, and has received a
43 discharge other than bad conduct or dishonorable from such service, or
44 (iii) is a discharged LGBT veteran, as defined in section ~~[three hundred~~
45 ~~fifty]~~ one of the ~~[executive]~~ veterans' services law, and has received a
46 discharge other than bad conduct or dishonorable from such service.

47 § 95. Subdivision 3 of section 404-w of the vehicle and traffic law,
48 as amended by chapter 490 of the laws of 2019, is amended to read as
49 follows:

50 3. For the purposes of this section, "Persian Gulf veteran" shall mean
51 a person who is a resident of this state, who served in the armed forces
52 of the United States in the hostilities that occurred in the Persian
53 Gulf from the second day of August, nineteen hundred ninety to the end
54 of such hostilities, and was (a) honorably discharged from the military,
55 or (b) has a qualifying condition, as defined in section ~~[three hundred~~
56 ~~fifty]~~ one of the ~~[executive]~~ veterans' services law, and has received a

1 discharge other than bad conduct or dishonorable from such service, or
2 (c) is a discharged LGBT veteran, as defined in section [~~three hundred~~
3 ~~fifty~~] one of the [~~executive~~] veterans' services law, and has received a
4 discharge other than bad conduct or dishonorable from such service.

5 § 96. Paragraphs (a) and (b) of subdivision 3 of section 404-y of the
6 vehicle and traffic law, as amended by chapter 490 of the laws of 2019,
7 are amended to read as follows:

8 (a) "Veteran of the Iraq War" shall mean a person who is a resident of
9 this state, who served in the armed forces of the United States in the
10 hostilities that occurred in Iraq from the sixteenth day of October, two
11 thousand two to the end of such hostilities who (i) was discharged ther-
12 efrom under other than dishonorable conditions or (ii) has a qualifying
13 condition, as defined in section [~~three hundred fifty~~] one of the [~~exec-~~
14 ~~utive~~] veterans' services law, and has received a discharge other than
15 bad conduct or dishonorable from such service, or (iii) is a discharged
16 LGBT veteran, as defined in section [~~three hundred fifty~~] one of the
17 [~~executive~~] veterans' services law, and has received a discharge other
18 than bad conduct or dishonorable from such service; and

19 (b) "Veteran of the Afghanistan War" shall mean a person who is a
20 resident of this state, who served in the armed forces of the United
21 States in the hostilities that occurred in Afghanistan from the seventh
22 day of October, two thousand one to the end of such hostilities who (i)
23 was discharged therefrom under other than dishonorable conditions or
24 (ii) has a qualifying condition, as defined in section [~~three hundred~~
25 ~~fifty~~] one of the [~~executive~~] veterans' services law, and has received a
26 discharge other than bad conduct or dishonorable from such service, or
27 (iii) is a discharged LGBT veteran, as defined in section [~~three hundred~~
28 ~~fifty~~] one of the [~~executive~~] veterans' services law, and has received a
29 discharge other than bad conduct or dishonorable from such service.

30 § 97. Paragraph (b) of subdivision 3 of section 490 of the vehicle and
31 traffic law, as amended by chapter 490 of the laws of 2019, is amended
32 to read as follows:

33 (b) The identification card shall contain a distinguishing number or
34 mark and adequate space upon which an anatomical gift, pursuant to arti-
35 cle forty-three of the public health law, by the holder may be recorded
36 and shall contain such other information and shall be issued in such
37 form as the commissioner shall determine; provided, however, every iden-
38 tification card or renewal thereof issued to a person under the age of
39 twenty-one years shall have prominently imprinted thereon the statement
40 "UNDER 21 YEARS OF AGE" in notably distinctive print or format.
41 Provided, further, however, that every identification card issued to an
42 applicant who was a member of the armed forces of the United States and
43 (i) received an honorable discharge or was released therefrom under
44 honorable conditions, or (ii) has a qualifying condition, as defined in
45 section [~~three hundred fifty~~] one of the [~~executive~~] veterans' services
46 law, and has received a discharge other than bad conduct or dishonorable
47 from such service, or (iii) is a discharged LGBT veteran, as defined in
48 section [~~three hundred fifty~~] one of the [~~executive~~] veterans' services
49 law, and has received a discharge other than bad conduct or dishonorable
50 from such service, shall, upon his or her request and submission of
51 proof as set forth herein, contain a distinguishing mark, in such form
52 as the commissioner shall determine, indicating that he or she is a
53 veteran. Such proof shall consist of a certificate of release or
54 discharge from active duty including but not limited to a DD Form 214 or
55 other proof satisfactory to the commissioner. The commissioner shall not
56 require fees for the issuance of such identification cards or renewals

1 thereof to persons under twenty-one years of age which are different
2 from the fees required for the issuance of identification cards or
3 renewals thereof to persons twenty-one years of age or over, nor fees to
4 persons requesting a veteran distinguishing mark which are different
5 from fees that would otherwise be required. Provided, however, that
6 notwithstanding the provisions of section four hundred ninety-one of
7 this article, the commissioner shall not require any fees for the dupli-
8 cation or amendment of an identification card prior to its renewal if
9 such duplication or amendment was solely for the purpose of adding a
10 veteran distinguishing mark to such identification card.

11 § 98. Paragraph (a-1) of subdivision 1 of section 504 of the vehicle
12 and traffic law, as amended by chapter 490 of the laws of 2019, is
13 amended to read as follows:

14 (a-1) Every license or renewal thereof issued to an applicant who was
15 a member of the armed forces of the United States and who (i) received
16 an honorable discharge or was released therefrom under honorable condi-
17 tions, or (ii) has a qualifying condition, as defined in section [~~three~~
18 ~~hundred-fifty~~] one of the [~~executive~~] veterans' services law, and has
19 received a discharge other than bad conduct or dishonorable from such
20 service, or (iii) is a discharged LGBT veteran, as defined in section
21 [~~three hundred-fifty~~] one of the [~~executive~~] veterans' services law, and
22 has received a discharge other than bad conduct or dishonorable from
23 such service, shall, upon his or her request and submission of proof as
24 set forth herein, contain a distinguishing mark, in such form as the
25 commissioner shall determine, indicating that he or she is a veteran.
26 Such proof shall consist of a certificate of release or discharge from
27 active duty including but not limited to a DD Form 214 or other proof
28 satisfactory to the commissioner. The commissioner shall not require
29 fees for the issuance of such licenses or renewals thereof to persons
30 requesting a veteran distinguishing mark which are different from fees
31 otherwise required; provided, however, that notwithstanding the
32 provisions of this section, the commissioner shall not require fees for
33 a duplication or amendment of a license prior to its renewal if such
34 duplication or amendment was solely for the purpose of adding a veteran
35 distinguishing mark to such license.

36 § 99. The second undesignated subparagraph of paragraph (a) of subdi-
37 vision 8 of section 15 of the workers' compensation law, as amended by
38 chapter 490 of the laws of 2019, is amended to read as follows:

39 Second: That any plan which will reasonably, equitably and practically
40 operate to break down hindrances and remove obstacles to the employment
41 of partially disabled persons who (i) are honorably discharged from our
42 armed forces, or (ii) have a qualifying condition, as defined in section
43 [~~three hundred-fifty~~] one of the [~~executive~~] veterans' services law, and
44 received a discharge other than bad conduct or dishonorable from such
45 service, or (iii) are discharged LGBT veterans, as defined in section
46 [~~three hundred-fifty~~] one of the [~~executive~~] veterans' services law, and
47 received a discharge other than bad conduct or dishonorable from such
48 service, or any other physically handicapped persons, is of vital impor-
49 tance to the state and its people and is of concern to this legislature;

50 § 100. Transfer of powers of the division of veterans' services. The
51 functions and powers possessed by and all of the obligations and duties
52 of the division of veterans' services, as established pursuant to arti-
53 cle 17 of the executive law and other laws, shall be transferred and
54 assigned to, and assumed by and devolved upon, the department of veter-
55 ans' services.

1 § 101. Abolition of the division of veterans' services. Upon the
2 transfer pursuant to this act of the functions and powers possessed by
3 and all of the obligations and duties of the division of veterans'
4 services, as established pursuant to article 17 of the executive law and
5 other laws, the division of veterans' services shall be abolished.

6 § 102. Continuity of authority of the division of veterans' services.
7 Except as herein otherwise provided, upon the transfer pursuant to this
8 act of the functions and powers possessed by, and all of the obligations
9 and duties of, the division of veterans' services, as established pursu-
10 ant to article 17 of the executive law and other laws, to the department
11 of veterans' services as prescribed by this act, for the purpose of
12 succession, all functions, powers, duties and obligations of the depart-
13 ment of veterans' services shall be deemed and be held to constitute the
14 continuation of such functions, powers, duties and obligations and not a
15 different agency.

16 § 103. Transfer of records of the division of veterans' services. Upon
17 the transfer pursuant to this act of the functions and powers possessed
18 by and all of the obligations and duties of the division of veterans'
19 services, as established pursuant to article 17 of the executive law and
20 other laws, to the department of veterans' services as prescribed by
21 this act, all books, papers, records and property pertaining to the
22 division of veterans' services shall be transferred to and maintained by
23 the department of veterans' services.

24 § 104. Completion of unfinished business of the division of veterans'
25 services. Upon the transfer pursuant to this act of the functions and
26 powers possessed by and all of the obligations and duties of the divi-
27 sion of veterans' services, as established pursuant to article 17 of the
28 executive law and other laws, to the department of veterans' services as
29 prescribed by this act, any business or other matter undertaken or
30 commenced by the division of veterans' services pertaining to or
31 connected with the functions, powers, obligations and duties so trans-
32 ferred and assigned to the department of veterans' services, may be
33 conducted or completed by the department of veterans' services.

34 § 105. Terms occurring in laws, contracts or other documents of or
35 pertaining to the division of veterans' services. Upon the transfer
36 pursuant to this act of the functions and powers possessed by and all of
37 the obligations and duties of the division of veterans' services, as
38 established pursuant to article 17 of the executive law and other laws,
39 as prescribed by this act, whenever the division of veterans' services
40 and the commissioner thereof, the functions, powers, obligations and
41 duties of which are transferred to the department of veterans' services,
42 are referred to or designated in any law, regulation, contract or docu-
43 ment pertaining to the functions, powers, obligations and duties trans-
44 ferred and assigned pursuant to this act, such reference or designation
45 shall be deemed to refer to the department of veterans' services and its
46 commissioner.

47 § 106. (a) Wherever the term "division of veterans' services" appears
48 in the consolidated or unconsolidated laws of this state, such term is
49 hereby changed to "department of veterans' services".

50 (b) The legislative bill drafting commission is hereby directed to
51 effectuate this provision, and shall be guided by a memorandum of
52 instruction setting forth the specific provisions of law to be amended.
53 Such memorandum shall be transmitted to the legislative bill drafting
54 commission within sixty days of enactment of this provision. Such memo-
55 randum shall be issued jointly by the governor, the temporary president

1 of the senate and the speaker of the assembly, or by the delegate of
2 each.

3 § 107. Existing rights and remedies of or pertaining to the division
4 of veterans' services. Upon the transfer pursuant to this act of the
5 functions and powers possessed by and all of the obligations and duties
6 of the division of veterans' services, as established pursuant to arti-
7 cle 17 of the executive law and other laws, to the department of veter-
8 ans' services as prescribed by this act, no existing right or remedy of
9 the state, including the division of veterans' services, shall be lost,
10 impaired or affected by reason of this act.

11 § 108. Pending actions and proceedings of or pertaining to the divi-
12 sion of veterans' services. Upon the transfer pursuant to this act of
13 the functions and powers possessed by and all of the obligations and
14 duties of the division of veterans' services, as established pursuant to
15 article 17 of the executive law and other laws, to the department of
16 veterans' services as prescribed by this act, no action or proceeding
17 pending on the effective date of this act, brought by or against the
18 division of veterans' services or the commissioner thereof shall be
19 affected by any provision of this act, but the same may be prosecuted or
20 defended in the name of the New York state department of veterans'
21 services. In all such actions and proceedings, the New York state
22 department of veterans' services, upon application to the court, shall
23 be substituted as a party.

24 § 109. Continuation of rules and regulations of or pertaining to the
25 division of veterans' services. Upon the transfer pursuant to this act
26 of the functions and powers possessed by and all the obligations and
27 duties of the division of veterans' services, as established pursuant to
28 article 17 of the executive law and other laws, to the department of
29 veterans' services as prescribed by this act, all rules, regulations,
30 acts, orders, determinations, decisions, licenses, registrations and
31 charters of the division of veterans' services, pertaining to the func-
32 tions transferred and assigned by this act to the department of veter-
33 ans' services, in force at the time of such transfer, assignment,
34 assumption or devolution shall continue in force and effect as rules,
35 regulations, acts, determinations and decisions of the department of
36 veterans' services until duly modified or repealed.

37 § 110. Transfer of appropriations heretofore made to the division of
38 veterans' services. Upon the transfer pursuant to this act of the func-
39 tions and powers possessed by and all of the obligations and duties of
40 the division of veterans' services, as established pursuant to article
41 17 of the executive law and other laws, to the department of veterans'
42 services as prescribed by this act, all appropriations and reappropri-
43 ations which shall have been made available as of the date of such
44 transfer to the division of veterans' services or segregated pursuant to
45 law, to the extent of remaining unexpended or unencumbered balances
46 thereof, whether allocated or unallocated and whether obligated or unob-
47 ligated, shall be transferred to and made available for use and expendi-
48 ture by the department of veterans' services and shall be payable on
49 vouchers certified or approved by the commissioner of taxation and
50 finance, on audit and warrant of the comptroller. Payments of liabil-
51 ities for expenses of personnel services, maintenance and operation
52 which shall have been incurred as of the date of such transfer by the
53 division of veterans' services, and for liabilities incurred and to be
54 incurred in completing its affairs shall also be made on vouchers certi-
55 fied or approved by the commissioner of veterans' services, on audit and
56 warrant of the comptroller.

§ 111. Transfer of employees. Upon the transfer pursuant to this act of the functions and powers possessed by and all of the division of veterans' services, as established pursuant to article 17 of the executive law and other laws, to the department of veterans' services as prescribed by this act, provision shall be made for the transfer of all employees from the division of veterans' services into the department of veterans' services. Employees so transferred shall be transferred without further examination or qualification to the same or similar titles and shall remain in the same collective bargaining units and shall retain their respective civil service classifications, status and rights pursuant to their collective bargaining units and collective bargaining agreements.

§ 112. Severability. If any clause, sentence, paragraph, section or part of this act shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, section or part thereof directly involved in the controversy in which such judgment shall have been rendered.

§ 113. This act shall take effect on the one hundred eightieth day after it shall have become a law; provided, however, that the amendments to subdivision (1) of section 7.09 of the mental hygiene law made by section fifteen of this act shall not affect the repeal of such subdivision and shall be deemed repealed therewith; and provided further that the amendments to paragraph j of subdivision 1 and subdivisions 6 and 6-d of section 163 of the state finance law made by section twenty-eight of this act shall not affect the repeal of such section and shall be deemed to be repealed therewith; and provided further, that if section 2 of part AA of chapter 56 of the laws of 2021 shall not have taken effect on or before such date, then section thirty of this act shall take effect on the same date and in the same manner as such chapter of the laws of 2021, takes effect; and provided further that the amendments to subdivision 3 of section 103-a of the state technology law made by section thirty-one of this act shall not affect the repeal of such section and shall be deemed to be repealed therewith; and provided further, that if chapter 609 of the laws of 2021 shall not have taken effect on or before such date, then section seventy-eight of this act shall take effect on the same date and in the same manner as such chapter of the laws of 2021 takes effect. Effective immediately, the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date are authorized to be made on or before such date.