

STATE OF NEW YORK

8582

2021-2022 Regular Sessions

IN ASSEMBLY

December 13, 2021

Introduced by M. of A. RAJKUMAR -- read once and referred to the Committee on Governmental Employees

AN ACT to amend the military law, in relation to the existing special eligible list for public employees

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

1 Section 1. Subdivision 7 of section 243 of the military law, as
2 amended by chapter 616 of the laws of 1999, is amended to read as
3 follows:

4 7. Status of existing lists. Any person whose name is on any eligible
5 list shall, while in military duty, retain his or her rights and status
6 on such list. If the name of any such person is reached for certification
7 during his or her military duty, it shall be placed on a special
8 eligible list in the order of his or her original standing, provided he
9 or she makes request therefor following termination of his or her military
10 duty and during the period of his or her eligibility on such list.
11 Such list shall be certified before certification shall be made from a
12 subsequent open competitive or promotion eligible list for the same
13 position or from the original eligible list for such position. [~~Such~~
14 ~~names shall remain on such special eligible list for a period of two~~
15 ~~years after the termination of such military duty.~~] Upon being placed
16 upon such special eligible list, the governmental agency or subdivision
17 shall notify such person, in writing, that their name will remain on the
18 list for two years after the termination of such military duty, and that
19 unless such person makes a request to be placed and remain upon such
20 list during this two year period, their name will be removed. Any such
21 person thus appointed shall, for the purpose of computing seniority
22 credit and training and experience credit for promotion and date of
23 membership in the retirement system and seniority in the event of
24 suspension or demotion, be deemed to have been appointed on the earliest
25 date upon which any eligible, who was the lower on such original eligi-

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

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1 ble list, was appointed, provided, however that service credit shall be
2 computed from the actual date of appointment. The retirement system
3 contributions of any such person who made any contribution to the
4 retirement system pursuant to article fourteen or fifteen of the retire-
5 ment and social security law, and who was appointed on or after July
6 twenty-seventh, nineteen hundred seventy-six shall not be refunded.
7 § 2. This act shall take effect immediately.