

STATE OF NEW YORK

1354

2023-2024 Regular Sessions

IN ASSEMBLY

January 17, 2023

Introduced by M. of A. HUNTER -- read once and referred to the Committee on Corporations, Authorities and Commissions

AN ACT to amend the business corporation law and the not-for-profit corporation law, in relation to exempting veterans from the payment of certain fees relating to corporations

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

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

§ 104-B. Veteran exemption from fees.

(a) As used in this section, "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 (1) has received an honorable or general discharge from such service, or (2) has a qualifying condition, as defined in section one of the 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 one of the veterans' services law, and has received a discharge other than bad conduct or dishonorable from such service; and such person is a resident of the state of New York at the time undertaking an action subject to a fee pursuant to section one hundred four-A of this article.

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

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

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

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

6 § 104-B. Veteran exemption from fees.

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

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

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

30 § 3. This act shall take effect on the one hundred eightieth day after
31 it shall have become a law; provided however, if section 2 of part PP of
32 chapter 56 of the laws of 2022 shall not have taken effect on or before
33 such date then sections one and two of this act shall take effect on the
34 same date and in the same manner as such chapter of the laws of 2022
35 takes effect.