STATE OF NEW YORK

5394--A

2023-2024 Regular Sessions

IN SENATE

March 3, 2023

Introduced by Sens. HARCKHAM, ASHBY, HELMING, MARTINEZ, WEIK -- read twice and ordered printed, and when printed to be committed to the Committee on Veterans, Homeland Security and Military Affairs -- reported favorably from said committee and committed to the Committee on Finance -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the military law, in relation to the issuance of a New York State Iraq War Commemorative Medal

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

Section 1. Subdivision 1-d of section 247 of the military law, as added by chapter 583 of the laws of 2022, is renumbered 1-e and a new subdivision 1-f is added to read as follows:

1-f. The governor is hereby authorized to present in the name of the legislature of the state of New York, a medal, to be known as the "New York State Iraq War Commemorative Medal", bearing a suitable inscription, to any person: (i) who is a resident of the state of New York or who was a resident of the state of New York while serving in the armed forces of the United States; (ii) who served in the United States Armed Forces, defined as army, air force, navy, marine corps or coast guard, on active duty in Iraq at any time during the period of March twentieth, two thousand three through December thirty-first, two thousand twenty-one; and (iii) who was discharged under honorable conditions or who has a qualifying condition, as defined in section one of the veterans' services law, and received a discharge other than bad conduct or dishonorable discharge, or is a discharged LGBT veteran, as defined in section one of the veterans' services law and received a discharge other than bad conduct or dishonorable discharge. No person shall receive more than one New York State Iraq War Commemorative Medal. In the event of the death of any eligible person prior to the receipt of such commemorative medal, such commemorative medal shall be presented to

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

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the designated representative of the deceased. The adjutant general, in consultation with the commissioner of the department of veterans' services, shall make such rules and regulations as may be deemed necessary for the proper presentation and distribution of such medals.

§ 2. Subdivision 4 of section 247 of the military law, as separately amended by chapters 582 and 583 of the laws of 2022, is amended to read as follows:

4. This section shall not be construed to require that a recipient of the conspicuous service cross, the conspicuous service star, the Cold War Certificate, the New York State Silver Rose Veterans Service Certificate**, the New York State Iraq War Commemorative Medal** or the New York State Vietnam War Commemorative Medal or the New York State Korean War Commemorative Medal has been a resident of the state of New York at the time of his or her entry into the United States army, air force, navy, or marine corps.

§ 3. This act shall take effect on the first of April next succeeding the date on which it shall have become a law. The division of military and naval affairs is authorized to promulgate any and all rules and regulations and take any other measures necessary to implement the provisions of this act on its effective date on or before such date.