STATE OF NEW YORK

441

2023-2024 Regular Sessions

IN ASSEMBLY

January 9, 2023

Introduced by M. of A. EPSTEIN, BURDICK, GALLAGHER, SEAWRIGHT, SANTABARBARA, LUNSFORD, SAYEGH, HEVESI, SILLITTI, CRUZ, LEMONDES, DeSTEFANO, GUNTHER, MEEKS, GIBBS, COOK -- Multi-Sponsored by -- M. of A. BRABENEC -- read once and referred to the Committee on Governmental Employees

AN ACT to amend the civil service law, in relation to employment of persons and veterans with disabilities by the state

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

Section 1. Subdivision 1 of section 55-b of the civil service law, as amended by chapter 603 of the laws of 1995, is amended to read as follows:

1. The commission may determine up to [~~twelve hundred~~] **five thousand** positions with duties such as can be performed by persons with a physical or mental disability who are found otherwise qualified to perform satisfactorily the duties of any such position. Upon such determination the said positions shall be classified in the noncompetitive class, and may be filled only by persons who shall have been certified by the employee health service of the department as being a person with either a physical or mental disability. The number of persons appointed pursuant to this section shall not exceed [~~twelve hundred~~] **five thousand**.

§ 2. Subdivision 1 of section 55-c of the civil service law, as amended by chapter 340 of the laws of 2008, is amended to read as follows:

1. The commission may determine up to [~~five hundred~~] **two thousand** positions with duties such as can be performed by disabled veterans and veterans with disabilities who are found otherwise qualified to perform satisfactorily the duties of any such position. Upon such determination, the said positions shall be classified in the noncompetitive class, and may be filled only by veterans of the armed forces of the United States who served therein during time of war, as defined in paragraph (c) of subdivision one of section eighty-five of this chapter, and (a) who

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

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establish by appropriate documentary evidence that they are disabled veterans, as defined in paragraph (b) of subdivision one of section eighty-five of this chapter, or (b) by those veterans, as defined in paragraph (a) of subdivision one of section eighty-five of this chapter, who shall have been certified by the employee health service of the department as being disabled but capable of performing the duties of said positions. Priority in certification and referral of both such disabled veterans and certified disabled but capable veterans shall be given to those veterans who received a wound in combat, as documented by the awarding of the purple heart, as authorized by the United States department of defense, and that wound is the cause of, or a substantially contributing factor to, the degree of impairment, who otherwise meet the requirements of this section. The number of veterans appointed pursuant to this section shall not exceed [~~**five hundred**~~] **two thousand**.

§ 3. This act shall take effect immediately.