STATE OF NEW YORK

5451

2023-2024 Regular Sessions

IN ASSEMBLY

March 10, 2023

Introduced 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 additional credit allowed veterans in competitive examinations; preference in retention upon abolition of positions

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

Section 1. Paragraph (a) of subdivision 1 of section 85 of the civil service law, as amended by chapter 669 of the laws of 2022, is amended to read as follows:

(a) The terms "veteran" and "non-disabled veteran" mean a member of the armed forces of the United States who was honorably discharged or released under honorable circumstances from such service including (i) having a qualifying condition as defined in section three hundred fifty of the executive law, and receiving a discharge other than bad conduct or dishonorable from such service, or (ii) being a discharged LGBT veteran, as defined in section three hundred fifty of the executive law, and receiving a discharge other than bad conduct or dishonorable from such service, who is a citizen of the United States or a noncitizen lawfully admitted for permanent residence in the United States and who is a resident of the state of New York at the time of application for appointment or promotion or at the time of retention, as the case may be. **The terms "veteran" and "non-disabled veteran" shall also mean the spouse and/or children of a member of the armed forces of the United States who served therein in time of war and was subsequently killed in the line of duty.**

§ 2. Paragraph (a) of subdivision 1 of section 85 of the civil service law, as separately amended by section 37 of part PP of chapter 56 and chapter 669 of the laws of 2022, is amended to read as follows:

(a) The terms "veteran" and "non-disabled veteran" mean a member of the armed forces of the United States who was honorably discharged or

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

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released under honorable circumstances from such service including (i) having a qualifying condition as defined in section one of the veterans' services law, and receiving a discharge other than bad conduct or dishonorable from such service, or (ii) being a discharged LGBT veteran, as defined in section one of the veterans' services law, and receiving a discharge other than bad conduct or dishonorable from such service, who is a citizen of the United States or a noncitizen lawfully admitted for permanent residence in the United States and who is a resident of the state of New York at the time of application for appointment or promotion or at the time of retention, as the case may be. **The terms "veteran" and "non-disabled veteran" shall also mean the spouse and/or children of a member of the armed forces of the United States who served therein in time of war and was subsequently killed in the line of duty.**

§ 3. This act shall take effect immediately; provided, however, that section two of this act shall take effect on the same date and in the same manner as section 37 of part PP of section 56 of the laws of 2022, takes effect.