STATE OF NEW YORK

5761

2023-2024 Regular Sessions

IN ASSEMBLY

March 23, 2023

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

AN ACT to amend the civil service law, in relation to waiving the state application fee for all civil service examinations for all veterans

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

Section 1. Paragraph (b) of subdivision 5 of section 50 of the civil service law, as amended by chapter 490 of the laws of 2019, is amended to read as follows:

(b) Notwithstanding the provisions of paragraph (a) of this subdivision, the state civil service department, subject to the approval of the director of the budget, a municipal commission, subject to the approval of the governing board or body of the city or county, as the case may be, or a regional commission or personnel officer, pursuant to governmental agreement, may elect to waive application fees, or to abolish fees for specific classes of positions or types of examinations or candidates, or to establish a uniform schedule of reasonable fees different from those prescribed in paragraph (a) of this subdivision, specifying in such schedule the classes of positions or types of examinations or candidates to which such fees shall apply; provided, however, that fees shall be waived for candidates who certify to the state civil service department, a municipal commission or a regional commission that they are unemployed and primarily responsible for the support of a household, or are receiving public assistance. Provided further, the state civil service department shall waive the state application fee for **all** examinations [~~**for original appointment**~~] for all veterans. Notwithstanding any other provision of law, for purposes of this section, the term "veteran" shall mean a person who has served in the armed forces of the United States or the reserves thereof, or in the army national guard, air national guard, New York guard, or the New York naval militia, and who (1) has been honorably discharged or released

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

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from such service under honorable conditions, or (2) has a qualifying condition, as defined in section three hundred fifty of the executive 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 three hundred fifty of the executive law, and has received a discharge other than bad conduct or dishonorable from such service. The term "armed forces" shall mean the army, navy, air force, marine corps, and coast guard.

§ 2. Paragraph (b) of subdivision 5 of section 50 of the civil service law, as amended by section 35 of part PP of chapter 56 of the laws of 2022, is amended to read as follows:

(b) Notwithstanding the provisions of paragraph (a) of this subdivision, the state civil service department, subject to the approval of the director of the budget, a municipal commission, subject to the approval of the governing board or body of the city or county, as the case may be, or a regional commission or personnel officer, pursuant to governmental agreement, may elect to waive application fees, or to abolish fees for specific classes of positions or types of examinations or candidates, or to establish a uniform schedule of reasonable fees different from those prescribed in paragraph (a) of this subdivision, specifying in such schedule the classes of positions or types of examinations or candidates to which such fees shall apply; provided, however, that fees shall be waived for candidates who certify to the state civil service department, a municipal commission or a regional commission that they are unemployed and primarily responsible for the support of a household, or are receiving public assistance. Provided further, the state civil service department shall waive the state application fee for **all** examinations [~~**for original appointment**~~] for all veterans. Notwithstanding any other provision of law, for purposes of this section, the term "veteran" shall mean a person who has served in the armed forces of the United States or the reserves thereof, or in the army national guard, air national guard, New York guard, or the New York naval militia, and who (1) has been honorably discharged or released from such service under honorable conditions, 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. The term "armed forces" shall mean the army, navy, air force, marine corps, and coast guard.

§ 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 35 of part PP of chapter 56 of the laws of 2022, takes effect.