

STATE OF NEW YORK

5896

2023-2024 Regular Sessions

IN ASSEMBLY

March 24, 2023

Introduced by M. of A. JEAN-PIERRE -- read once and referred to the
Committee on Veterans' Affairs

AN ACT to amend the executive law, the economic development law, the
public officers law and the real property tax law, in relation to
expanding the definition of veteran to include members of the United
States public health service

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

1 Section 1. Subdivisions 3 and 9 of section 350 of the executive law,
2 subdivision 9 as added by chapter 490 of the laws of 2019, are amended
3 to read as follows:

4 3. The term "veteran" means a person, male or female, resident of this
5 state, who has served in the active military or naval service of the
6 United States or the active service of the United States public health
7 service during a war in which the United States engaged and who has been
8 released from such service otherwise than by dishonorable discharge, or
9 who has been furloughed to the reserve.

10 9. The term "discharged LGBT veteran" means a veteran who was
11 discharged less than honorably from military ~~[or]~~, naval or public
12 health service of the United States due to their sexual orientation or
13 gender identity or expression, as those terms are defined in section two
14 hundred ninety-two of this chapter, or statements, consensual sexual
15 conduct, or consensual acts relating to sexual orientation, gender iden-
16 tity or expression, or the disclosure of such statements, conduct, or
17 acts, that were prohibited by the military or naval service at the time
18 of discharge. The division shall establish a consistent and uniform
19 process to determine whether a veteran qualifies as a discharged LGBT
20 veteran under this subdivision, including, at a minimum, standards for
21 verifying a veteran's status as a discharged LGBT veteran, and a method
22 of demonstrating eligibility as a discharged LGBT veteran.

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

LBD06775-01-3

§ 2. The opening paragraph of paragraph a and paragraph c of subdivision 1 of section 364 of the executive law, the opening paragraph of paragraph a as amended by chapter 490 of the laws of 2019 and paragraph c as added by chapter 751 of the laws of 1985, are amended to read as follows:

The word "veteran," as used in this article shall be taken to mean and include any person who is a resident of the state of New York, and who (i) has been or may be given an honorable, general or ordinary discharge or any other form of release from such service, except a dishonorable discharge, a bad conduct discharge, an undesirable discharge, a discharge without honor or a discharge for the good of the service, or (ii) has a qualifying condition, as defined in section three hundred fifty of this article, and has received a discharge other than bad conduct or dishonorable from such service, or (iii) is a discharged LGBT veteran, as defined in section three hundred fifty of this article, and has received a discharge other than bad conduct or dishonorable from such service, and who (iv) was a recipient of the armed forces expeditionary medal, the navy expeditionary medal or the marine corps expeditionary medal for participation in operations in Lebanon from June first, nineteen hundred eighty-three to December first, nineteen hundred eighty-seven, in Grenada from October twenty-third, nineteen hundred eighty-three to November twenty-first, nineteen hundred eighty-three, or in Panama from December twentieth, nineteen hundred eighty-nine to January thirty-first, nineteen hundred ninety, or (v) served on active duty for ninety days or more in the armed forces of the United States or the United States public health service during any one of the following wars or hostilities:

c. The term "active duty" as used in this article shall mean full time duty in the armed forces or the United States public health service, other than active duty for training; provided, however, that "active duty" shall also include any period of active duty for training during which the individual concerned was disabled or died from a disease or injury incurred or aggravated during such period.

§ 3. Subdivision 3 of section 369-b of the executive law, as added by chapter 557 of the laws of 2013, is amended to read as follows:

3. "Veteran" shall mean an individual who served on active duty in the United States army, navy, marine corps, air force, coast guard or the reserves component, or who served in active military service of the United States as a member of the army national guard, air national guard, New York guard or New York naval militia, or who served in active service as a member of the United States public health service, who was released from such service otherwise than by dishonorable discharge after September eleventh, two thousand one.

§ 4. Subdivisions 5 and 7 of section 369-h of the executive law, subdivision 5 as added by chapter 22 of the laws of 2014 and subdivision 7 as amended by chapter 490 of the laws of 2019, are amended to read as follows:

5. "Service-disabled veteran" shall mean (a) in the case of the United States army, navy, air force, marines, coast guard, army national guard or air national guard and/or reserves thereof, or the United States public health service, a veteran who received a compensation rating of ten percent or greater from the United States department of veterans affairs or from the United States department of defense because of a service-connected disability incurred in the line of duty, and (b) in the case of the New York guard or the New York naval militia and/or reserves thereof, a veteran who certifies, pursuant to the rules and

1 regulations promulgated by the director, to having incurred an injury
2 equivalent to a compensation rating of ten percent or greater from the
3 United States department of veterans affairs or from the United States
4 department of defense because of a service-connected disability incurred
5 in the line of duty.

6 7. "Veteran" shall mean a person who served in the United States army,
7 navy, air force, marines, coast guard, and/or reserves thereof, and/or
8 in the army national guard, air national guard, New York guard and/or
9 the New York naval militia, and/or who served as a member of the United
10 States public health service, and who (i) has received an honorable or
11 general discharge from such service, or (ii) has a qualifying condition,
12 as defined in section three hundred fifty of this chapter, and has
13 received a discharge other than bad conduct or dishonorable from such
14 service, or (iii) is a discharged LGBT veteran, as defined in section
15 three hundred fifty of this chapter, and has received a discharge other
16 than bad conduct or dishonorable from such service.

17 § 5. Subdivision 6 of section 210 of the economic development law, as
18 amended by chapter 490 of the laws of 2019, is amended to read as
19 follows:

20 6. "Veteran" shall mean a person who served in the United States army,
21 navy, air force, marines, coast guard, and/or reserves thereof, and/or
22 in the army national guard, air national guard, New York guard and/or
23 the New York naval militia, and/or who served as a member of the United
24 States public health service, and who (a) has received an honorable or
25 general discharge from such service, or (b) has a qualifying condition,
26 as defined in section three hundred fifty of the executive law, and has
27 received a discharge other than bad conduct or dishonorable from such
28 service, or (c) is a discharged LGBT veteran, as defined in section
29 three hundred fifty of the executive law, and has received a discharge
30 other than bad conduct or dishonorable from such service.

31 § 6. Subdivision 6 of section 210 of the economic development law, as
32 amended by section 33 of part PP of chapter 56 of the laws of 2022, is
33 amended to read as follows:

34 6. "Veteran" shall mean a person who served in the United States army,
35 navy, air force, marines, coast guard, and/or reserves thereof, and/or
36 in the army national guard, air national guard, New York guard and/or
37 the New York naval militia, and/or who served as a member of the United
38 States public health service, and who (a) has received an honorable or
39 general discharge from such service, or (b) has a qualifying condition,
40 as defined in section one of the veterans' services law, and has
41 received a discharge other than bad conduct or dishonorable from such
42 service, or (c) is a discharged LGBT veteran, as defined in section one
43 of the veterans' services law, and has received a discharge other than
44 bad conduct or dishonorable from such service.

45 § 7. Section 63 of the public officers law, as amended by chapter 606
46 of the laws of 2021, is amended to read as follows:

47 § 63. Leave of absence for veterans on Memorial day and Veterans' day.
48 It shall be the duty of the head of every public department and of every
49 court of the state of New York, of every superintendent or foreman on
50 the public works of said state, of the county officers of the several
51 counties of said state, of the town officers of the various towns in
52 this state, of the fire district officers of the various fire districts
53 in this state, and of the head of every department, bureau and office in
54 the government of the various cities and villages in this state, and the
55 officers of any public benefit corporation or any public authority of
56 this state, or of any public benefit corporation or public authority of

1 any county or subdivision of this state, to give leave of absence with
2 pay for twenty-four hours on the day prescribed by law as a public holi-
3 day for the observance of Memorial day and on the eleventh day of Novem-
4 ber, known as Veterans' day, to every person in the service of the
5 state, the county, the town, the fire district, the city or village, the
6 public benefit corporation or public authority of this state, or any
7 public benefit corporation or public authority of any county or subdivi-
8 sion of this state, as the case may be, (i) who served on active duty in
9 the armed forces of the United States during world war I or world war
10 II, or who was employed by the War Shipping Administration or Office of
11 Defense Transportation or their agents as a merchant seaman documented
12 by the United States Coast Guard or Department of Commerce, or as a
13 civil servant employed by the United States Army Transport Service
14 (later redesignated as the United States Army Transportation Corps,
15 Water Division) or the Naval Transportation Service; and who served
16 satisfactorily as a crew member during the period of armed conflict,
17 December seventh, nineteen hundred forty-one, to August fifteenth, nine-
18 teen hundred forty-five, aboard merchant vessels in oceangoing, i.e.,
19 foreign, intercoastal, or coastwise service as such terms are defined
20 under federal law (46 USCA 10301 & 10501) and further to include "near
21 foreign" voyages between the United States and Canada, Mexico, or the
22 West Indies via ocean routes, or public vessels in oceangoing service or
23 foreign waters and who has received a Certificate of Release or
24 Discharge from Active Duty and a discharge certificate, or an Honorable
25 Service Certificate/Report of Casualty, from the Department of Defense,
26 or who served as a United States civilian employed by the American Field
27 Service and served overseas under United States Armies and United States
28 Army Groups in world war II during the period of armed conflict, Decem-
29 ber seventh, nineteen hundred forty-one through May eighth, nineteen
30 hundred forty-five, and who (a) was discharged or released therefrom
31 under honorable conditions, or (b) has a qualifying condition, as
32 defined in section one of the veterans' services law, and has received a
33 discharge other than bad conduct or dishonorable from such service, or
34 (c) is a discharged LGBT veteran, as defined in section one of the
35 veterans' services law, and has received a discharge other than bad
36 conduct or dishonorable from such service or who served as a United
37 States civilian Flight Crew and Aviation Ground Support Employee of Pan
38 American World Airways or one of its subsidiaries or its affiliates and
39 served overseas as a result of Pan American's contract with Air Trans-
40 port Command or Naval Air Transport Service during the period of armed
41 conflict, December fourteenth, nineteen hundred forty-one through August
42 fourteenth, nineteen hundred forty-five, and who (d) was discharged or
43 released therefrom under honorable conditions, or (e) has a qualifying
44 condition, as defined in section one of the veterans' services law, and
45 has received a discharge other than bad conduct or dishonorable from
46 such service, or (f) is a discharged LGBT veteran, as defined in section
47 one of the veterans' services law, and has received a discharge other
48 than bad conduct or dishonorable from such service or during the period
49 of the Korean conflict at any time between the dates of June twenty-sev-
50 enth, nineteen hundred fifty and January thirty-first, nineteen hundred
51 fifty-five, or during the period of the Vietnam conflict from the first
52 day of November, nineteen hundred fifty-five to the seventh day of May,
53 nineteen hundred seventy-five, or (ii) who served on active duty in the
54 armed forces of the United States and who was a recipient of the armed
55 forces expeditionary medal, navy expeditionary medal or marine corps
56 expeditionary medal for participation in operations in Lebanon from June

1 first, nineteen hundred eighty-three to December first, nineteen hundred
2 eighty-seven, in Grenada from October twenty-third, nineteen hundred
3 eighty-three to November twenty-first, nineteen hundred eighty-three, or
4 in Panama from December twentieth, nineteen hundred eighty-nine to Janu-
5 ary thirty-first, nineteen hundred ninety, or (iii) who served in the
6 armed forces of a foreign country allied with the United States during
7 world war I or world war II, or during the period of the Korean conflict
8 at any time between June twenty-seventh, nineteen hundred fifty and
9 January thirty-first, nineteen hundred fifty-five, or during the period
10 of the Vietnam conflict from the first day of November, nineteen hundred
11 fifty-five to the seventh day of May, nineteen hundred seventy-five, or
12 during the period of the Persian Gulf conflict from the second day of
13 August, nineteen hundred ninety to the end of such conflict, or who
14 served on active duty in the army or navy or marine corps or air force
15 or coast guard of the United States, and who (a) was honorably
16 discharged or separated from such service under honorable conditions, or
17 (b) has a qualifying condition, as defined in section one of the veter-
18 ans' services law, and has received a discharge other than bad conduct
19 or dishonorable from such service, or (c) is a discharged LGBT veteran,
20 as defined in section one of the veterans' services law, and has
21 received a discharge other than bad conduct or dishonorable from such
22 service except where such action would endanger the public safety or the
23 safety or health of persons cared for by the state, in which event such
24 persons shall be entitled to leave of absence with pay on another day in
25 lieu thereof, or (iv) who served on active duty in the United States
26 public health service, and who (a) was honorably discharged or separated
27 from such service under honorable conditions, or (b) has a qualifying
28 condition, as defined in section three hundred fifty of the executive
29 law, and has received a discharge other than bad conduct or dishonorable
30 from such service, or (c) is a discharged LGBT veteran, as defined in
31 section three hundred fifty of the executive law, and has received a
32 discharge other than bad conduct or dishonorable from such service
33 except where such action would endanger the public safety or the safety
34 or health of persons cared for by the state, in which event such persons
35 shall be entitled to leave of absence with pay on another day in lieu
36 thereof. All such persons who are compensated on a per diem, hourly,
37 semi-monthly or monthly basis, with or without maintenance, shall also
38 be entitled to leave of absence with pay under the provisions of this
39 section and no deduction in vacation allowance or budgetary allowable
40 number of working days shall be made in lieu thereof. A refusal to give
41 such leave of absence to one entitled thereto shall be neglect of duty.

42 § 8. Section 63 of the public officers law, as amended by section 80
43 of part PP of chapter 56 of the laws of 2022, is amended to read as
44 follows:

45 § 63. Leave of absence for veterans on Memorial day and Veterans' day.
46 It shall be the duty of the head of every public department and of every
47 court of the state of New York, of every superintendent or foreman on
48 the public works of said state, of the county officers of the several
49 counties of said state, of the town officers of the various towns in
50 this state, of the fire district officers of the various fire districts
51 in this state, and of the head of every department, bureau and office in
52 the government of the various cities and villages in this state, and the
53 officers of any public benefit corporation or any public authority of
54 this state, or of any public benefit corporation or public authority of
55 any county or subdivision of this state, to give leave of absence with
56 pay for twenty-four hours on the day prescribed by law as a public holi-

1 day for the observance of Memorial day and on the eleventh day of Novem-
2 ber, known as Veterans' day, to every person in the service of the
3 state, the county, the town, the fire district, the city or village, the
4 public benefit corporation or public authority of this state, or any
5 public benefit corporation or public authority of any county or subdivi-
6 sion of this state, as the case may be, (i) who served on active duty in
7 the armed forces of the United States during world war I or world war
8 II, or who was employed by the War Shipping Administration or Office of
9 Defense Transportation or their agents as a merchant seaman documented
10 by the United States Coast Guard or Department of Commerce, or as a
11 civil servant employed by the United States Army Transport Service
12 (later redesignated as the United States Army Transportation Corps,
13 Water Division) or the Naval Transportation Service; and who served
14 satisfactorily as a crew member during the period of armed conflict,
15 December seventh, nineteen hundred forty-one, to August fifteenth, nine-
16 teen hundred forty-five, aboard merchant vessels in oceangoing, i.e.,
17 foreign, intercoastal, or coastwise service as such terms are defined
18 under federal law (46 USCA 10301 & 10501) and further to include "near
19 foreign" voyages between the United States and Canada, Mexico, or the
20 West Indies via ocean routes, or public vessels in oceangoing service or
21 foreign waters and who has received a Certificate of Release or
22 Discharge from Active Duty and a discharge certificate, or an Honorable
23 Service Certificate/Report of Casualty, from the Department of Defense,
24 or who served as a United States civilian employed by the American Field
25 Service and served overseas under United States Armies and United States
26 Army Groups in world war II during the period of armed conflict, Decem-
27 ber seventh, nineteen hundred forty-one through May eighth, nineteen
28 hundred forty-five, and who (a) was discharged or released therefrom
29 under honorable conditions, or (b) has a qualifying condition, as
30 defined in section one of the veterans' services law, and has received a
31 discharge other than bad conduct or dishonorable from such service, or
32 (c) is a discharged LGBT veteran, as defined in section one of the
33 veterans' services law, and has received a discharge other than bad
34 conduct or dishonorable from such service or who served as a United
35 States civilian Flight Crew and Aviation Ground Support Employee of Pan
36 American World Airways or one of its subsidiaries or its affiliates and
37 served overseas as a result of Pan American's contract with Air Trans-
38 port Command or Naval Air Transport Service during the period of armed
39 conflict, December fourteenth, nineteen hundred forty-one through August
40 fourteenth, nineteen hundred forty-five, and who (d) was discharged or
41 released therefrom under honorable conditions, or (e) has a qualifying
42 condition, as defined in section one of the veterans' services law, and
43 has received a discharge other than bad conduct or dishonorable from
44 such service, or (f) is a discharged LGBT veteran, as defined in section
45 one of the veterans' services law, and has received a discharge other
46 than bad conduct or dishonorable from such service or during the period
47 of the Korean conflict at any time between the dates of June twenty-sev-
48 enth, nineteen hundred fifty and January thirty-first, nineteen hundred
49 fifty-five, or during the period of the Vietnam conflict from the first
50 day of November, nineteen hundred fifty-five to the seventh day of May,
51 nineteen hundred seventy-five, or (ii) who served on active duty in the
52 armed forces of the United States and who was a recipient of the armed
53 forces expeditionary medal, navy expeditionary medal or marine corps
54 expeditionary medal for participation in operations in Lebanon from June
55 first, nineteen hundred eighty-three to December first, nineteen hundred
56 eighty-seven, in Grenada from October twenty-third, nineteen hundred

1 eighty-three to November twenty-first, nineteen hundred eighty-three, or
2 in Panama from December twentieth, nineteen hundred eighty-nine to Janu-
3 ary thirty-first, nineteen hundred ninety, or (iii) who served in the
4 armed forces of a foreign country allied with the United States during
5 world war I or world war II, or during the period of the Korean conflict
6 at any time between June twenty-seventh, nineteen hundred fifty and
7 January thirty-first, nineteen hundred fifty-five, or during the period
8 of the Vietnam conflict from the first day of November, nineteen hundred
9 fifty-five to the seventh day of May, nineteen hundred seventy-five, or
10 during the period of the Persian Gulf conflict from the second day of
11 August, nineteen hundred ninety to the end of such conflict, or who
12 served on active duty in the army or navy or marine corps or air force
13 or coast guard of the United States, and who (a) was honorably
14 discharged or separated from such service under honorable conditions, or
15 (b) has a qualifying condition, as defined in section one of the veter-
16 ans' services law, and has received a discharge other than bad conduct
17 or dishonorable from such service, or (c) is a discharged LGBT veteran,
18 as defined in section one of the veterans' services law, and has
19 received a discharge other than bad conduct or dishonorable from such
20 service except where such action would endanger the public safety or the
21 safety or health of persons cared for by the state, in which event such
22 persons shall be entitled to leave of absence with pay on another day in
23 lieu thereof, or (iv) who served on active duty in the United States
24 public health service, and who (a) was honorably discharged or separated
25 from such service under honorable conditions, or (b) has a qualifying
26 condition, as defined in section three hundred fifty of the executive
27 law, and has received a discharge other than bad conduct or dishonorable
28 from such service, or (c) is a discharged LGBT veteran, as defined in
29 section three hundred fifty of the executive law, and has received a
30 discharge other than bad conduct or dishonorable from such service
31 except where such action would endanger the public safety or the safety
32 or health of persons cared for by the state, in which event such persons
33 shall be entitled to leave of absence with pay on another day in lieu
34 thereof. All such persons who are compensated on a per diem, hourly,
35 semi-monthly or monthly basis, with or without maintenance, shall also
36 be entitled to leave of absence with pay under the provisions of this
37 section and no deduction in vacation allowance or budgetary allowable
38 number of working days shall be made in lieu thereof. A refusal to give
39 such leave of absence to one entitled thereto shall be neglect of duty.

40 § 9. Subdivision 4-a of section 458 of the real property tax law, as
41 amended by chapter 490 of the laws of 2019, is amended to read as
42 follows:

43 4-a. For the purposes of this section, the term "military or naval
44 services" shall be deemed to also include service: (a) by a person who
45 was employed by the War Shipping Administration or Office of Defense
46 Transportation or their agents as a merchant seaman documented by the
47 United States Coast Guard or Department of Commerce, or as a civil serv-
48 ant employed by the United States Army Transport Service (later redesign-
49 ated as the United States Army Transportation Corps, Water Division) or
50 the Naval Transportation Service; and who served satisfactorily as a
51 crew member during the period of armed conflict, December seventh, nine-
52 teen hundred forty-one, to August fifteenth, nineteen hundred forty-
53 five, aboard merchant vessels in oceangoing, i.e., foreign, inter-
54 coastal, or coastwise service as such terms are defined under federal
55 law (46 USCA 10301 & 10501) and further to include "near foreign"
56 voyages between the United States and Canada, Mexico, or the West Indies

1 via ocean routes, or public vessels in oceangoing service or foreign
2 waters and who has received a Certificate of Release or Discharge from
3 Active Duty and a discharge certificate, or an Honorable Service
4 Certificate/Report of Casualty, from the department of defense; (b)
5 service by a United States civilian employed by the American Field
6 Service who served overseas under United States Armies and United States
7 Army Groups in world war II during the period of armed conflict, Decem-
8 ber seventh, nineteen hundred forty-one through May eighth, nineteen
9 hundred forty-five, and who (i) was discharged or released therefrom
10 under honorable conditions, or (ii) has a qualifying condition, as
11 defined in section three hundred fifty of the executive law, and has
12 received a discharge other than bad conduct or dishonorable from such
13 service, or (iii) is a discharged LGBT veteran, as defined in section
14 three hundred fifty of the executive law, and has received a discharge
15 other than bad conduct or dishonorable from such service; ~~or~~ (c)
16 service by a United States civilian Flight Crew and Aviation Ground
17 Support Employee of Pan American World Airways or one of its subsid-
18 iaries or its affiliates who served overseas as a result of Pan Ameri-
19 can's contract with Air Transport Command or Naval Air Transport Service
20 during the period of armed conflict, December fourteenth, nineteen
21 hundred forty-one through August fourteenth, nineteen hundred forty-
22 five, and who (i) was discharged or released therefrom under honorable
23 conditions, or (ii) has a qualifying condition, as defined in section
24 three hundred fifty of the executive law, and has received a discharge
25 other than bad conduct or dishonorable from such service, or (iii) is a
26 discharged LGBT veteran, as defined in section three hundred fifty of
27 the executive law, and has received a discharge other than bad conduct
28 or dishonorable from such service; or (d) service by a member of the
29 United States public health service and who (i) was discharged or
30 released therefrom under honorable conditions, or (ii) has a qualifying
31 condition, as defined in section three hundred fifty of the executive
32 law, and has received a discharge other than bad conduct or dishonorable
33 from such service, or (iii) is a discharged LGBT veteran, as defined in
34 section three hundred fifty of the executive law, and has received a
35 discharge other than bad conduct or dishonorable from such service.

36 § 10. Subdivision 4-a of section 458 of the real property tax law, as
37 amended by section 82 of part PP of chapter 56 of the laws of 2022, is
38 amended to read as follows:

39 4-a. For the purposes of this section, the term "military or naval
40 services" shall be deemed to also include service: (a) by a person who
41 was employed by the War Shipping Administration or Office of Defense
42 Transportation or their agents as a merchant seaman documented by the
43 United States Coast Guard or Department of Commerce, or as a civil serv-
44 ant employed by the United States Army Transport Service (later redesign-
45 dated as the United States Army Transportation Corps, Water Division) or
46 the Naval Transportation Service; and who served satisfactorily as a
47 crew member during the period of armed conflict, December seventh, nine-
48 teen hundred forty-one, to August fifteenth, nineteen hundred forty-
49 five, aboard merchant vessels in oceangoing, i.e., foreign, inter-
50 coastal, or coastwise service as such terms are defined under federal
51 law (46 USCA 10301 & 10501) and further to include "near foreign"
52 voyages between the United States and Canada, Mexico, or the West Indies
53 via ocean routes, or public vessels in oceangoing service or foreign
54 waters and who has received a Certificate of Release or Discharge from
55 Active Duty and a discharge certificate, or an Honorable Service
56 Certificate/Report of Casualty, from the department of defense; (b)

1 service by a United States civilian employed by the American Field
2 Service who served overseas under United States Armies and United States
3 Army Groups in world war II during the period of armed conflict, Decem-
4 ber seventh, nineteen hundred forty-one through May eighth, nineteen
5 hundred forty-five, and who (i) was discharged or released therefrom
6 under honorable conditions, or (ii) has a qualifying condition, as
7 defined in section one of the veterans' services law, and has received a
8 discharge other than bad conduct or dishonorable from such service, or
9 (iii) is a discharged LGBT veteran, as defined in section one of the
10 veterans' services law, and has received a discharge other than bad
11 conduct or dishonorable from such service; or (c) service by a United
12 States civilian Flight Crew and Aviation Ground Support Employee of Pan
13 American World Airways or one of its subsidiaries or its affiliates who
14 served overseas as a result of Pan American's contract with Air Trans-
15 port Command or Naval Air Transport Service during the period of armed
16 conflict, December fourteenth, nineteen hundred forty-one through August
17 fourteenth, nineteen hundred forty-five, and who (i) was discharged or
18 released therefrom under honorable conditions, or (ii) has a qualifying
19 condition, as defined in section one of the veterans' services law, and
20 has received a discharge other than bad conduct or dishonorable from
21 such service, or (iii) is a discharged LGBT veteran, as defined in
22 section one of the veterans' services law, and has received a discharge
23 other than bad conduct or dishonorable from such service; or (d) service
24 by a member of the United States public health service and who (i) was
25 discharged or released therefrom under honorable conditions, or (ii) has
26 a qualifying condition, as defined in section three hundred fifty of the
27 executive law, and has received a discharge other than bad conduct or
28 dishonorable from such service, or (iii) is a discharged LGBT veteran,
29 as defined in section three hundred fifty of the executive law, and has
30 received a discharge other than bad conduct or dishonorable from such
31 service.

32 § 11. Paragraph (e) of subdivision 1 of section 458-a of the real
33 property tax law, as amended by chapter 490 of the laws of 2019, is
34 amended to read as follows:

35 (e) "Veteran" means a person (i) who served in the active military,
36 naval, or air service during a period of war, or who was a recipient of
37 the armed forces expeditionary medal, navy expeditionary medal, marine
38 corps expeditionary medal, or global war on terrorism expeditionary
39 medal, and who (1) was discharged or released therefrom under honorable
40 conditions, or (2) has a qualifying condition, as defined in section
41 three hundred fifty of the executive law, and has received a discharge
42 other than bad conduct or dishonorable from such service, or (3) is a
43 discharged LGBT veteran, as defined in section three hundred fifty of
44 the executive law, and has received a discharge other than bad conduct
45 or dishonorable from such service, (ii) who was employed by the War
46 Shipping Administration or Office of Defense Transportation or their
47 agents as a merchant seaman documented by the United States Coast Guard
48 or Department of Commerce, or as a civil servant employed by the United
49 States Army Transport Service (later redesignated as the United States
50 Army Transportation Corps, Water Division) or the Naval Transportation
51 Service; and who served satisfactorily as a crew member during the peri-
52 od of armed conflict, December seventh, nineteen hundred forty-one, to
53 August fifteenth, nineteen hundred forty-five, aboard merchant vessels
54 in oceangoing, i.e., foreign, intercoastal, or coastwise service as such
55 terms are defined under federal law (46 USCA 10301 & 10501) and further
56 to include "near foreign" voyages between the United States and Canada,

1 Mexico, or the West Indies via ocean routes, or public vessels in ocean-
2 going service or foreign waters and who has received a Certificate of
3 Release or Discharge from Active Duty and a discharge certificate, or an
4 Honorable Service Certificate/Report of Casualty, from the department of
5 defense, (iii) who served as a United States civilian employed by the
6 American Field Service and served overseas under United States Armies
7 and United States Army Groups in world war II during the period of armed
8 conflict, December seventh, nineteen hundred forty-one through May
9 eighth, nineteen hundred forty-five, and who (1) was discharged or
10 released therefrom under honorable conditions, or (2) has a qualifying
11 condition, as defined in section three hundred fifty of the executive
12 law, and has received a discharge other than bad conduct or dishonorable
13 from such service, or (3) is a discharged LGBT veteran, as defined in
14 section three hundred fifty of the executive law, and has received a
15 discharge other than bad conduct or dishonorable from such service, (iv)
16 who served as a United States civilian Flight Crew and Aviation Ground
17 Support Employee of Pan American World Airways or one of its subsid-
18 iaries or its affiliates and served overseas as a result of Pan Ameri-
19 can's contract with Air Transport Command or Naval Air Transport Service
20 during the period of armed conflict, December fourteenth, nineteen
21 hundred forty-one through August fourteenth, nineteen hundred forty-
22 five, and who (1) was discharged or released therefrom under honorable
23 conditions, or (2) has a qualifying condition, as defined in section
24 three hundred fifty of the executive law, and has received a discharge
25 other than bad conduct or dishonorable from such service, or (3) is a
26 discharged LGBT veteran, as defined in section three hundred fifty of
27 the executive law, and has received a discharge other than bad conduct
28 or dishonorable from such service, ~~(v)~~ (v) notwithstanding any other
29 provision of law to the contrary, who are members of the reserve compo-
30 nents of the armed forces of the United States who (1) received an
31 honorable discharge or release therefrom under honorable conditions, or
32 (2) has a qualifying condition, as defined in section three hundred
33 fifty of the executive law, and has received a discharge other than bad
34 conduct or dishonorable from such service, or (3) is a discharged LGBT
35 veteran, as defined in section three hundred fifty of the executive law,
36 and has received a discharge other than bad conduct or dishonorable from
37 such service, but are still members of the reserve components of the
38 armed forces of the United States provided that such members meet all
39 other qualifications under the provisions of this section, or (vi) who
40 served as a member of the United States public health service and who
41 (1) was discharged or released therefrom under honorable conditions, or
42 (2) has a qualifying condition, as defined in section three hundred
43 fifty of the executive law, and has received a discharge other than bad
44 conduct or dishonorable from such service, or (3) is a discharged LGBT
45 veteran, as defined in section three hundred fifty of the executive law,
46 and has received a discharge other than bad conduct or dishonorable from
47 such service.

48 § 12. Paragraph (e) of subdivision 1 of section 458-a of the real
49 property tax law, as amended by section 83 of part PP of chapter 56 of
50 the laws of 2022, is amended to read as follows:

51 (e) "Veteran" means a person (i) who served in the active military,
52 naval, or air service during a period of war, or who was a recipient of
53 the armed forces expeditionary medal, navy expeditionary medal, marine
54 corps expeditionary medal, or global war on terrorism expeditionary
55 medal, and who (1) was discharged or released therefrom under honorable
56 conditions, or (2) has a qualifying condition, as defined in section one

1 of the veterans' services law, and has received a discharge other than
2 bad conduct or dishonorable from such service, or (3) is a discharged
3 LGBT veteran, as defined in section one of the veterans' services law,
4 and has received a discharge other than bad conduct or dishonorable from
5 such service, (ii) who was employed by the War Shipping Administration
6 or Office of Defense Transportation or their agents as a merchant seaman
7 documented by the United States Coast Guard or Department of Commerce,
8 or as a civil servant employed by the United States Army Transport
9 Service (later redesignated as the United States Army Transportation
10 Corps, Water Division) or the Naval Transportation Service; and who
11 served satisfactorily as a crew member during the period of armed
12 conflict, December seventh, nineteen hundred forty-one, to August
13 fifteenth, nineteen hundred forty-five, aboard merchant vessels in
14 oceangoing, i.e., foreign, intercoastal, or coastwise service as such
15 terms are defined under federal law (46 USCA 10301 & 10501) and further
16 to include "near foreign" voyages between the United States and Canada,
17 Mexico, or the West Indies via ocean routes, or public vessels in ocean-
18 going service or foreign waters and who has received a Certificate of
19 Release or Discharge from Active Duty and a discharge certificate, or an
20 Honorable Service Certificate/Report of Casualty, from the department of
21 defense, (iii) who served as a United States civilian employed by the
22 American Field Service and served overseas under United States Armies
23 and United States Army Groups in world war II during the period of armed
24 conflict, December seventh, nineteen hundred forty-one through May
25 eighth, nineteen hundred forty-five, and who (1) was discharged or
26 released therefrom under honorable conditions, or (2) has a qualifying
27 condition, as defined in section one of the veterans' services law, and
28 has received a discharge other than bad conduct or dishonorable from
29 such service, or (3) is a discharged LGBT veteran, as defined in section
30 one of the veterans' services law, and has received a discharge other
31 than bad conduct or dishonorable from such service, (iv) who served as a
32 United States civilian Flight Crew and Aviation Ground Support Employee
33 of Pan American World Airways or one of its subsidiaries or its affil-
34 iates and served overseas as a result of Pan American's contract with
35 Air Transport Command or Naval Air Transport Service during the period
36 of armed conflict, December fourteenth, nineteen hundred forty-one
37 through August fourteenth, nineteen hundred forty-five, and who (1) was
38 discharged or released therefrom under honorable conditions, or (2) has
39 a qualifying condition, as defined in section one of the veterans'
40 services law, and has received a discharge other than bad conduct or
41 dishonorable from such service, or (3) is a discharged LGBT veteran, as
42 defined in section one of the veterans' services law, and has received a
43 discharge other than bad conduct or dishonorable from such service, or
44 (v) notwithstanding any other provision of law to the contrary, who are
45 members of the reserve components of the armed forces of the United
46 States who (1) received an honorable discharge or release therefrom
47 under honorable conditions, or (2) has a qualifying condition, as
48 defined in section one of the veterans' services law, and has received a
49 discharge other than bad conduct or dishonorable from such service, or
50 (3) is a discharged LGBT veteran, as defined in section one of the
51 veterans' services law, and has received a discharge other than bad
52 conduct or dishonorable from such service, but are still members of the
53 reserve components of the armed forces of the United States provided
54 that such members meet all other qualifications under the provisions of
55 this section, or (vi) who served as a member of the United States public
56 health service and who (1) was discharged or released therefrom under

honorably 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.

§ 13. Paragraphs (a) and (c) of subdivision 1 of section 458-b of the real property tax law, paragraph (a) as amended by chapter 490 of the laws of 2019 and paragraph (c) as added by chapter 655 of the laws of 2007, are amended to read as follows:

(a) "Cold War veteran" means a person, male or female, who served on active duty in the United States armed forces or the United States public health service, during the time period from September second, nineteen hundred forty-five to December twenty-sixth, nineteen hundred ninety-one, and (i) was discharged or released therefrom under honorable conditions, or (ii) 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 (iii) 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.

(c) "Active duty" means full-time duty in the United States armed forces or the United States public health service, other than active duty for training.

§ 14. Paragraph (a) of subdivision 1 of section 458-b of the real property tax law, as amended by section 84 of part PP of chapter 56 of the laws of 2022, is amended to read as follows:

(a) "Cold War veteran" means a person, male or female, who served on active duty in the United States armed forces or the United States public health service, during the time period from September second, nineteen hundred forty-five to December twenty-sixth, nineteen hundred ninety-one, and (i) was discharged or released therefrom under honorable conditions, or (ii) 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 (iii) 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.

§ 15. This act shall take effect immediately, provided, however, that;

(a) the amendments to articles 17, 17-A, and 17-B of the executive law made by sections one, two, three, and four of this act shall not affect the repeal of such articles and shall be deemed repealed therewith;

(b) the amendments to subdivision 6 of section 210 of the economic development law made by section six of this act shall take effect on the same date and in the same manner as section 33 of part PP of chapter 56 of the laws of 2022, takes effect;

(c) the amendments to section 63 of the public officers law made by section eight of this act shall take effect on the same date and in the same manner as section 80 of part PP of chapter 56 of the laws of 2022, takes effect;

(d) the amendments to subdivision 4-a of section 458 of the real property tax law made by section ten of this act shall take effect on the same date and in the same manner as section 82 of part PP of chapter 56 of the laws of 2022, takes effect;

(e) the amendments to paragraph (e) of subdivision 1 of section 458-a of the real property tax law made by section twelve of this act shall

1 take effect on the same date and in the same manner as section 83 of
2 part PP of chapter 56 of the laws of 2022, takes effect; and
3 (f) the amendments to paragraph (a) of subdivision 1 of section 458-b
4 of the real property tax law made by section fourteen of this act shall
5 take effect on the same date and in the same manner as section 84 of
6 part PP of chapter 56 of the laws of 2022, takes effect.