

# STATE OF NEW YORK

3280

2023-2024 Regular Sessions

## IN SENATE

January 30, 2023

Introduced by Sens. GOUNARDES, ADDABBO, HARCKHAM, HELMING, LIU, STEC --  
read twice and ordered printed, and when printed to be committed to  
the Committee on Judiciary

### CONCURRENT RESOLUTION OF THE SENATE AND ASSEMBLY

proposing an amendment to section 6 of article 5 of the constitution, in  
relation to civil service appointments and promotions; veterans' pref-  
erences and credits

Section 1. Resolved (if the Assembly concur), That section 6 of arti-  
cle 5 of the constitution be amended to read as follows:

§ 6. Appointments and promotions in the civil service of the state and  
all of the civil divisions thereof, including cities and villages, shall  
be made according to merit and fitness to be ascertained, as far as  
practicable, by examination which, as far as practicable, shall be  
competitive; provided, however, that any member of the armed forces of  
the United States [~~who served therein in time of war, and~~] who, at the  
time of such member's appointment or promotion, is a citizen or an alien  
lawfully admitted for permanent residence in the United States and a  
resident of this state and is honorably discharged or released under  
honorable circumstances from such service, shall be entitled to receive  
five points additional credit in a competitive examination for original  
appointment and two and one-half points additional credit in an examina-  
tion for promotion or, if such member was disabled in the actual  
performance of duty [~~in any war~~] and his or her disability is certified  
by the United States department of veterans affairs to be in existence  
at the time of application for appointment or promotion, he or she shall  
be entitled to receive ten points additional credit in a competitive  
examination for original appointment and five points additional credit  
in an examination for promotion. Such additional credit shall be added  
to the final earned rating of such member after he or she has qualified  
in an examination and shall be granted only at the time of establishment  
of an eligible list. No such member shall receive the additional credit  
granted by this section after he or she has received one appointment,

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

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1 either original entrance or promotion, from an eligible list on which he  
2 or she was allowed the additional credit granted by this section, except  
3 where a member has been appointed or promoted from an eligible list on  
4 which he or she was allowed additional credit for military service and  
5 subsequent to such appointment he or she is disabled as provided in this  
6 section, such member shall be entitled to ten points additional credit  
7 less the number of points of additional credit allowed for the prior  
8 appointment.

9 § 2. Resolved (if the Assembly concur), That the foregoing amendment  
10 be referred to the first regular legislative session convening after the  
11 next succeeding general election of members of the assembly, and, in  
12 conformity with section 1 of article 19 of the constitution, be  
13 published for 3 months previous to the time of such election.