

# STATE OF NEW YORK

5372--A

2023-2024 Regular Sessions

## IN SENATE

March 3, 2023

Introduced by Sens. HARCKHAM, ASHBY, HELMING, MARTINEZ, WEIK -- read twice and ordered printed, and when printed to be committed to the Committee on Veterans, Homeland Security and Military Affairs -- reported favorably from said committee and committed to the Committee on Finance -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the military law, in relation to the issuance of a New York State Afghanistan War Commemorative Medal

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

1 Section 1. Subdivision 1-d of section 247 of the military law, as  
2 added by chapter 583 of the laws of 2022, is renumbered 1-e and a new  
3 subdivision 1-f is added to read as follows:

4 1-f. The governor is hereby authorized to present in the name of the  
5 legislature of the state of New York, a medal, to be known as the "New  
6 York State Afghanistan War Commemorative Medal", bearing a suitable  
7 inscription, to any person: (i) who is a resident of the state of New  
8 York; or who was a resident of the state of New York while serving in  
9 the armed forces of the United States; (ii) who served in the United  
10 States Armed Forces, defined as army, air force, navy, marine corps, or  
11 coast guard, on active duty in Afghanistan at any time during the period  
12 from October seventh, two thousand one through August thirtieth, two  
13 thousand twenty-one; and (iii) who was discharged under honorable condi-  
14 tions or who has a qualifying condition, as defined in section one of  
15 the veterans' services law, and received a discharge other than bad  
16 conduct or dishonorable discharge, or is a discharged LGBT veteran, as  
17 defined in section one of the veterans' services law, and received a  
18 discharge other than bad conduct or dishonorable discharge. No person  
19 shall receive more than one New York State Afghanistan War Commemorative  
20 Medal. In the event of the death of any eligible person prior to the  
21 receipt of such commemorative medal, such commemorative medal shall be

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

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1 presented to the designated representative of the deceased. The adjutant  
2 general, in consultation with the commissioner of the department of  
3 veterans' services, shall make such rules and regulations as may be  
4 deemed necessary for the proper presentation and distribution of such  
5 medals.

6 § 2. Subdivision 4 of section 247 of the military law, as separately  
7 amended by chapters 582 and 583 of the laws of 2022, is amended to read  
8 as follows:

9 4. This section shall not be construed to require that a recipient of  
10 the conspicuous service cross, the conspicuous service star, the Cold  
11 War Certificate, the New York State Silver Rose Veterans Service Certif-  
12 icate, the New York State Afghanistan War Commemorative Medal or the New  
13 York State Vietnam War Commemorative Medal or the New York State Korean  
14 War Commemorative Medal has been a resident of the state of New York at  
15 the time of his or her entry into the United States army, air force,  
16 navy, or marine corps.

17 § 3. This act shall take effect on the first of April next succeeding  
18 the date on which it shall have become a law. The division of military  
19 and naval affairs is authorized to promulgate any and all rules and  
20 regulations and take any other measures necessary to implement the  
21 provisions of this act on its effective date on or before such date.