STATE OF NEW YORK

8985

IN SENATE

April 5, 2024

Introduced by Sen. SCARCELLA-SPANTON -- read twice and ordered printed, and when printed to be committed to the Committee on Veterans, Homeland Security and Military Affairs

AN ACT to amend the retirement and social security law, in relation to military service credit

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

Section 1. Subdivision 1 of section 1000 of the retirement and social security law, as amended by chapter 585 of the laws of 2022, is amended to read as follows:

1. A member, upon application to such retirement system, may obtain a total not to exceed three years of service credit for up to three years of military duty, as defined in section two hundred forty-three of the military law, if the member (a) was honorably discharged from the military, or (b) has a qualifying condition, as defined in section [~~three hundred fifty of the executive~~] **one of the veterans' services** law, and has received a discharge other than bad conduct or dishonorable from such service, or (c) is a discharged LGBT veteran, as defined in section [~~three hundred fifty of the executive~~] **one of the veterans' services** law, and has received a discharge other than bad conduct or dishonorable from such service. **For purposes of this subdivision, military duty shall also include New York state active duty service performed under the authority of the governor of New York state.**

§ 2. This act shall take effect immediately.

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

LBD15129-01-4