

STATE OF NEW YORK

10828

IN ASSEMBLY

April 1, 2026

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

AN ACT to amend the civil service law, in relation to providing for a preference for activated members of the New York army national guard or the New York air national guard for competitive examinations for original appointment or promotion

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

1 Section 1. The section heading of section 85 of the civil service law,
2 as added by chapter 790 of the laws of 1958, is amended to read as
3 follows:

4 Additional credit allowed veterans in competitive examinations; pref-
5 erence in retention upon abolition of positions; preference for acti-
6 vated members of the New York army national guard or the New York air
7 national guard serving under orders pursuant to section six of the mili-
8 tary law or during declared state disaster emergencies.

9 § 2. Subdivision 1 of section 85 of the civil service law is amended
10 by adding a new paragraph (e) to read as follows:

11 (e) The term "state disaster emergency" shall have the same meaning as
12 defined in section twenty of the executive law.

13 § 3. Subdivision 2 of section 85 of the civil service law is amended
14 by adding a new paragraph (c) to read as follows:

15 (c) A member of the New York army national guard or New York air
16 national guard who has been activated pursuant to section six of the
17 military law or section twenty-eight of the executive law for a cumula-
18 tive period of sixty days or more shall be entitled to receive two and
19 one-half points additional credit in a competitive examination for
20 original appointment or promotion, provided, however, that: (i) such
21 activation shall be documented by orders issued pursuant to section six
22 of the military law; (ii) such member shall not have previously been
23 granted additional credit under paragraph (a) of this subdivision as a
24 veteran or disabled veteran; and (iii) such credit shall be awarded only
25 if the candidate meets all other eligibility requirements for appoint-
26 ment and qualifies in the competitive examination without reference to

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

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1 such additional credit. If a candidate is eligible for both the addi-
2 tional credit provided under paragraph (a) of this subdivision and the
3 additional credit provided under this paragraph, the candidate shall
4 automatically be granted the additional credit under paragraph (a), and
5 no credit shall be awarded under this paragraph.

6 § 4. This act shall take effect immediately and shall apply to all
7 state disaster emergencies declared on or after January 1, 2025.