STATE OF NEW YORK

8365

2025-2026 Regular Sessions

IN SENATE

June 5, 2025

Introduced by Sens. SCARCELLA-SPANTON, ORTT -- read twice and ordered printed, and when printed to be committed to the Committee on Rules

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:

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

Additional credit allowed veterans in competitive examinations; preference in retention upon abolition of positions**; preference for activated members of the New York army national guard or the New York air national guard serving under orders pursuant to section six of the military law or during declared state disaster emergencies**.

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

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

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

(c) A member of the New York army national guard or New York air national guard who has been activated pursuant to section six of the military law or section twenty-eight of the executive law for a cumulative period of sixty days or more shall be entitled to receive two and one-half points additional credit in a competitive examination for original appointment or promotion, provided, however, that: (i) such activation shall be documented by orders issued pursuant to section six of the military law; (ii) such member shall not have previously been granted additional credit under paragraph (a) of this subdivision as a

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

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veteran or disabled veteran; and (iii) such credit shall be awarded only if the candidate meets all other eligibility requirements for appointment and qualifies in the competitive examination without reference to such additional credit. If a candidate is eligible for both the additional credit provided under paragraph (a) of this subdivision and the additional credit provided under this paragraph, the candidate shall automatically be granted the additional credit under paragraph (a), and no credit shall be awarded under this paragraph.

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