

STATE OF NEW YORK

10420

IN ASSEMBLY

March 4, 2026

Introduced by M. of A. CASHMAN -- read once and referred to the Committee on Veterans' Affairs

AN ACT to amend the veterans' services law, in relation to providing certain support for veterans to help alter their discharged status

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

1 Section 1. Subdivision 31 of section 4 of the veterans' services law
2 is amended to read as follows:
3 31. To maintain a discharge upgrade [~~advisory~~] assistance board
4 program within the department to [~~provide written non-binding advisory~~
5 ~~opinions to~~] assist veterans of the state of New York [~~appealing~~] in
6 upgrading their character of discharge [~~from~~], changing their reason for
7 discharge, or seeking any other relief available through the discharge
8 review board or [~~the~~] board for [~~corrections~~] correction of military or
9 naval records for their branch of service on the federal level. Individ-
10 uals may submit an application with evidence, including all relevant
11 documents, which shall be reviewed by the discharge upgrade [~~advisory~~]
12 assistance board [~~program~~] in a timely manner. After review of the
13 application the board shall provide a written non-binding advisory opin-
14 ion as to the merits of the veteran's case. Upon receipt of an applica-
15 tion, it shall be the duty of the board to assist the veteran in identi-
16 fying and obtaining any additional information or evidence necessary to
17 either reach such an opinion or support the veteran's case. If such
18 board finds the veteran's application for a discharge upgrade is merito-
19 rious, then the board will [~~provide~~] assist the veteran [~~with~~] in filing
20 a request for correction or review and represent the veteran before the
21 appropriate venue which shall include preparing a written opinion advo-
22 cating for the discharge review board or board for [~~corrections~~]
23 correction of military or naval records to grant that veteran's appeal.
24 If, however, the board is unable to represent the veteran directly, the
25 board shall assist the veteran in finding representation through other
26 qualified counsel or an accredited representative of an organization
27 recognized by the secretary of veterans affairs under chapter 59 of
28 title 38 of the United States code. In the event of an unfavorable deci-

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

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1 sion from a discharge review board or board for correction of mili-
2 tary or naval records, the board shall also provide information and
3 assistance in securing qualified counsel to any veteran interested in
4 pursuing an appeal of such decision in federal court. The department
5 shall post information on the discharge upgrade advisory board program
6 on its official webpage. Furthermore, the department shall make refer-
7 ence to this program pursuant to subdivisions five, six and seven of
8 this section and official social media of the department. The annual
9 report required by subdivision seventeen of this section shall contain
10 information including, but not limited to, the number of cases reviewed,
11 and the number of cases where a veteran's application was found to be
12 meritorious, the number of meritorious applications for which the board
13 provided representation in pursuing their appeal at the federal level,
14 the outcome of such representation, and the names and numbers of other
15 counsel or organizations to whom referrals for representation were made.
16 As used in this subdivision the term "veteran" means a person who served
17 in the uniformed services or their respective national guard or reserve
18 components, regardless of discharge status.

19 § 2. This act shall take effect immediately.