STATE OF NEW YORK

8484

2025-2026 Regular Sessions

IN ASSEMBLY

May 16, 2025

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

AN ACT to amend the veterans' services law, in relation to establishing a hazardous substance exposure registry

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

Section 1. The veterans' services law is amended by adding a new section 29-e to read as follows:

§ 29-e. Hazardous substance exposure registry. 1. The commissioner shall on a continuous basis, and in consultation with the commissioner of health, the commissioner of environmental conservation, and the adjutant general:

(a) identify all current or former military installations located within the state where service members, veterans, or their families, are known or more likely than not to have been at risk of exposure to a hazardous substance identified in paragraph (b) of this subdivision. Such military installations shall at a minimum include any such installation registered as an inactive hazardous waste disposal site or brownfield cleanup site under titles thirteen and fourteen of article twenty-seven of the environmental conservation law respectively or registered under the federal Comprehensive Environmental Response, Compensation, and Liability Act (42 U.S.C. § 21 9601 et seq.); and

(b) identify hazardous substances at such military installations, with consideration given to substances hazardous or acutely hazardous to public health, safety or the environment as defined in section 37-0103 of the environmental conservation law, and any medical conditions that may be associated with exposure to them.

2. The commissioner shall establish a registry of self-identifying service members, veterans and family members of such individuals who may have experienced exposure to a hazardous substance at a military installation identified in subdivision one of this section that shall include:

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

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(a) the person's name, address, electronic mail address, and phone number;

(b) the location of the military installation and time period the person served, worked, or lived at such installation;

(c) any medical condition or death of a service member, veteran or family member of such individual that may be related to exposure to a hazardous substance identified in paragraph (b) of subdivision one of this section; and

(d) any other information determined relevant by the commissioner.

3. The commissioner, in consultation with the commissioner of health, the commissioner of environmental conservation, and the adjutant general, shall establish and maintain a public information program in order to educate and inform service members, veterans, and their families regarding:

(a) participation in the registry established pursuant to subdivision two of this section;

(b) participation in the health registries maintained by the United States department of veterans affairs, including the:

(i) Agent Orange Registry;

(ii) Airborne Hazards and Open Burn Pit Registry;

(iii) Gulf War Registry;

(iv) Ionizing Radiation Registry;

(v) Depleted Uranium Follow-Up Program; and

(vi) Toxic Embedded Fragment Surveillance Center;

(c) information regarding presumptive conditions or diseases determined to be associated with toxic exposure by the United States department of veterans affairs;

(d) the most recent scientific developments on the health effects of exposures to hazardous substances identified in paragraph (b) of subdivision one of this section, and toxic exposure including exposure to open burn pit smoke or other airborne hazards;

(e) the process for applying to the United States department of veterans affairs for service-connected disability compensation for an illness or condition that may be related to an exposure to a hazardous substance identified in paragraph (b) of subdivision one of this section or toxic exposure, including the methods for documenting the illness or condition; and

(f) appealing an existing disability rating decision or requesting an upgrade in disability rating from the United States department of veterans affairs.

4. The commissioner shall make the aggregate data complied under subdivision two of this section publicly available on the department's website and subject to appropriations, the commissioner shall prepare or cause to be prepared a study containing:

(a) an analysis of such aggregate data;

(b) a description of the types and incidences of medical conditions or deaths reported under subdivision two of this section;

(c) any explanations for the incidence of medical conditions and any other reasonable explanations for the incidence of such conditions; and

(d) any other information or opinions regarding any association between such conditions and exposures to hazardous substances identified in paragraph (b) of subdivision one of this section that the commissioner may determine to be relevant.

5. The commissioner shall use the information collected under subdivisions one and two of this section, and if applicable, the study prepared under subdivision four of this section to:

(a) notify, to the extent practicable, any affected service members, veterans, and family members of such individuals of the risk of exposures to hazardous substances identified in paragraph (b) of subdivision one of this section at a military installation identified under subdivision one of this section; and

(b) advocate when necessary, at the federal level for veterans, service members and their families who have suffered exposures to hazardous substances identified in paragraph (b) of subdivision one of this section including, if appropriate, seeking recognition for new presumptions of exposure to hazardous substances and service connection for disabilities related to such exposures.

6. The information provided to the department pursuant to subdivision two of this section shall be protected as personal confidential information under article six-A of the public officers law against disclosure of confidential material and be used only for the purposes described in this section. Any publication of the study described in subdivision four of this section shall not include personally identifying information of registry participants.

7. As used in this section the following terms shall have the following meanings:

(a) "military installation" means a base, camp, post, station, yard, center, homeport facility for any ship, or other activity under the jurisdiction of the United States department of defense or the United States department of homeland security with respect to installations of the United States coast guard, or the division of military and naval affairs including any leased facility;

(b) "toxic exposure" shall have the same meaning as such term is defined in section 101 of title 38 of the United States Code;

(c) "service member" means a person who is currently serving in the uniformed services of the United States or in a "force of the organized militia" as such term is defined in section one of the military law; and

(d) "veteran" shall mean a person who served on active duty in the uniformed services, or a person who served in a "force of the organized militia" as such term is defined in section one of the military law, regardless of discharge status.

§ 2. This act shall take effect on the ninetieth day after it shall have become a law.