§ 668-e. Military enhanced recognition, incentive and tribute ("MERIT") scholarships. 1. Eligible persons. a. Notwithstanding subdivisions three and five of section six hundred sixty-one of this title, children, spouses and financial dependents of a member of the armed forces of the United States or state organized militia who at any time while in service in the armed forces of the United States, as defined by subdivision eight of section one of the military law or in a force of the state organized militia, as defined in subdivision nine of section one of the military law: (i) while a legal resident of New York state, died, became severely and permanently disabled or was classified as missing in action, or died as a result of injury or illness suffered or incurred during such military service; or (ii) while a legal resident of New York state, died or became severely and permanently disabled as a result of injury or illness suffered or incurred during military training operations.

b. A member of the armed forces of the United States who: (i) became severely and permanently disabled as a result of service in the armed forces of the United States, as defined by subdivision eight of section one of the military law,; and (ii) was a legal resident of New York state at the time of military service.

c. A member of the armed forces of the United States who: (i) became severely and permanently disabled as a result of injury or illness suffered or incurred during military training operations; and (ii) was a legal resident of New York state at the time of military service.

d. A member of the state organized militia who: (i) became severely and permanently disabled as a result of injury or illness suffered or incurred during active military service, as defined in subdivision six of section one of the military law; and (ii) was a legal resident of New York state at the time of active military service.

2. Amount. The president shall grant annual scholarships in amounts determined in accordance with subdivisions two and three of section six hundred sixty-eight-d of this subpart.