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 T H E C O U N C I L

REPORT OF THE GOVERNMENTAL AFFAIRS DIVISION

JEFF BAKER, LEGISLATIVE DIRECTOR

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COMMITTEE ON STATE AND FEDERAL LEGISLATION

#### Hon. Andrew Cohen, Chair

June 13, 2019

**By: Council Andrew Cohen**

**Preconsidered SLR 11: A.8282 (Abbate)**

**S.6474 (Gounardes)**

**TITLE:** AN ACT to amend the military law, in relation to age requirements applicable to appointments or promotions of public employees in cities with a population of one million or more who have been absent on military duty.

**BACKGROUND:**

Subdivision 10-a of the military law ensures that when the law sets a maximum age for appointment or promotion to a public service position, a veteran’s years of military service do not deprive the veteran of the opportunity to qualify for the appointment or promotion. By excluding from consideration, their years of military service from the computation of the veteran’s age, it allows a veteran whose age exceeds the maximum to be considered for the appointment or promotion. A maximum age limitation of particular significance to veterans that are seeking to serve the city of New York is the maximum age for members of the New York City Fire Department (“FDNY”). The maximum age limitation for the FDNY is twenty-nine. The city of New York has found that military veterans are especially well-prepared by experience, training, physical fitness and discipline to perform the duties of members of paramilitary organizations such as the FDNY. The enactment of this bill to increase the age limitation for military veterans by one year will expand the pool of highly-prepared individuals while ensuring that candidates that have served our country will be able to provide public service to the city of New York.

**PROPOSED LEGISLATION:**

Section one of this legislation amends subdivision 10-a of the Military Law to increase from six years to seven years the number of years of military service that can be deducted from the age of an applicant for appointment or promotions to positions in public service in a city of one million or more where maximum age requirements are established by law, rule or action of the municipal civil service commission.

Section two states that the effective date.

**FISCAL IMPLICATIONS:**

See Council Finance Division fiscal impact statement.

**EFFECTIVE DATE:**

Immediately.