

VMAS LPRC Position Request

November 28, 2020

1. Proposed legislative concept:

In Connecticut, “veteran” means “any person honorably discharged from, or released under honorable conditions from active service in, the armed forces.” General Statutes § 27-103 (a) (2).

The proposal is to alter the definition of “veteran” to be more inclusive by amending § 27-103 (a) (2) to include any person that the United States Department of Veterans Affairs (the “VA”) has determined eligible for certain federal veterans benefits by reason of an administrative determination made pursuant to 38 C.F.R. § 3.12 and/or 38 C.F.R. § 3.360.

2. Explanation and rationale for advancing this position:

See attached explanatory memorandum dated 11/28/2020 for a complete review of the proposal and the VA process involved. Also attached is a list of the current CT benefits that are provided to “Veterans”.

Unlike Connecticut law, federal law defines “veteran” in an exclusive manner, to wit, as a person who separated from military service under conditions “other than dishonorable.” 38 U.S.C. § 101 (2) As a result, for certain federal veterans benefits the VA retains some discretion in determining whether a person not honorably discharged from military service may have nevertheless separated under condition “other than dishonorable.” The administrative process employed by the VA in making such a determination is known as a “Character of Discharge Determination” (colloquially known as a “COD Determination”). The legal authority for a COD Determination is expressed and implied in 38 U.S.C. § 101, 38 § U.S.C. 5303, 38 C.F.R. § 3.12, 38 C.F.R. § 3.360, and related statutes and regulations that do not expressly require, without any exception, an “honorable” period of military service.

Generally speaking, persons eligible for a COD Determination are (a) those with an uncharacterized discharge; (b) those with an other than honorable discharge; and (c) those with a bad conduct discharge resulting from a *special* court martial (as opposed to *general* court martial). A favorable COD Determination does not change the characterization of one’s discharge document, but it results in entitlement to health and medical care under 38 U.S.C. § 1701 *et seq.* and the possibility of compensation for service-connected disabilities.

Currently, the VA’s decision does not result in reciprocal entitlement to state veteran’s benefits. Stated differently, a person may be entitled to federal healthcare and disability benefits by virtue of a VA COD Determination, but not entitled to equivalent Connecticut veterans benefits such as access to Soldier Sailor Marine Fund, access to in-state tuition waiver, and the various tax discounts afforded veterans with honorable or under honorable on their discharge paperwork.

3. Is draft legislation or a proposed bill included?:

Yes – included in the attached explanatory memorandum dated 11/28/2020

4. What is the date of any legislative hearing, if known?:

No date.

5. Was this position previously approved by the CBA?:

No.

6. Is the CBA section or committee seeking to join a previously approved CBA section or committee position?:

No.

7. Potential or actual CBA opposition from another CBA section or committee?:

No reason to believe to so.

8. Strength of section position (including process and results of section vote taken on issue):

Section vote: 13 in favor; 3 opposed; 5 abstentions

Executive committee vote: 7 in favor; 1 opposed; 2 abstentions.

Process:

Proposed legislation was first introduced for discussion in the September 8th Section meeting. This topic was well reviewed and questions and concerns were gathered. The proposal was updated based on input from that meeting a special full section meeting was called on September 30, 2020 to review the updated proposal. Then a section wide vote was done – with the results as above – 13 in favor, 3 opposed and 5 abstentions. Note: two in-favor votes come from Commission Thomas Saadi from CT Department of Veterans Affairs and COL Timothy Tomcho of the CT National Guard.

The three opposed members object to the VA process of recharacterization in general and they proposed an alternative expansion. Their alternative suggestion involved providing in-kind benefits in CT that the VA provided based on the VA recharacterization process. This amounts to no change in their benefits as there is little or no overlap between the benefits the state of CT provides to veterans and the VA provides. The VA provides access to healthcare, disability or non-service connected payments as needed, access to readiness and employment services,... The state of CT provides property tax discounts, DMV discounts, tuition waivers, and access to Soldiers Sailors Marine Fund. This proposal is about access to those small CT benefits and not additional healthcare which is moot.

An Executive Committee meeting was held on October 8, 2020 to review the results and discuss the alternative approach. It was determined the alternative approach suggested amounted to no change in and that the section would put forth the proposed change to legislation for review by the CBA.

9. Fiscal impact (on state):

There will be a minor fiscal impact if any. It is estimated up to 2000 CT veterans may be affected by this legislative change. The impact would be on par with the 2018 amendment (PA 18-47).

10. Are you seeking “fast-track” approval?:

No.

Proposed Modification to Definition of Veteran in Connecticut CGS 27-103

Overview:

CGS 27-103 defines who is a veteran under Connecticut state law. We propose that its definition be expanded to include former service members who have been recharacterized as “honorable for VA purposes” by the federal Department of Veteran Affairs (VA). The definition of veteran is currently tied to former service members who the Department of Defense (DoD) determined service honorable with a new 2018 expansion (PA 18-47) for veterans disabled with PTSD due to combat or military sexual trauma or Traumatic Brain Injuries (TBI). But it is the VA with the mission to serve all veterans. In service of that mission, the VA has regulations that overcome some glaring issues with the DoD discharge process – 1) multiple terms of service; 2) mental illness that leads to less than honorable discharges; and 3) systemic racism in the DoD discharge process.

Problem:

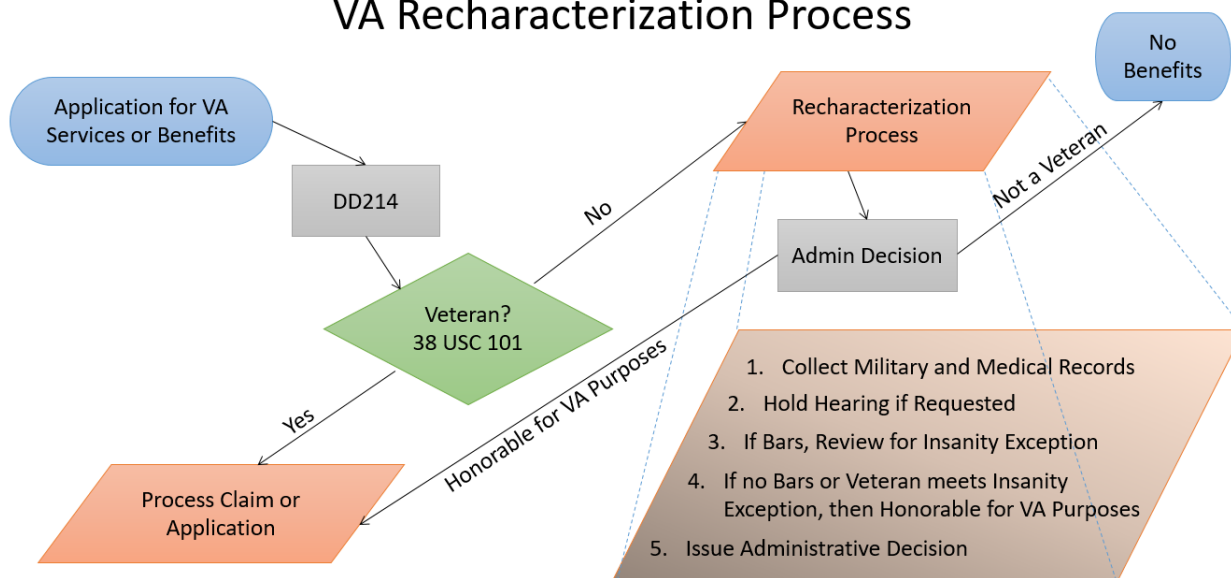
The term “veteran” has many meanings. Most people define a veteran as anyone who served in the military. Some former service members may define veterans as only people who faced combat. Under federal law, a veteran is defined by 38 USC 101 as “a person who served in the active military, naval, or air service, and who was discharged or released therefrom under conditions other than dishonorable.” Being classified as a veteran entitles an individual to a host of federal and state benefits. But, in practice, defining “conditions other than dishonorable” is tricky. The federal U.S. Department of Veterans Affairs (VA) has developed a process to make such a determination. The State of Connecticut can more easily assist former service members by recognizing such VA determinations.

The military releases service members who have served more than six months under five different discharges: (1) honorable; (2) general under honorable conditions (“general”); (3) other than honorable (“OTH”); (4) bad conduct; and (5) dishonorable.

The VA is responsible for providing medical care and benefits to all eligible veterans. The VA uses the 38 USC 101 to determine if a former service member is eligible for VA care, but OTH and bad conduct discharges present it with a problem. Neither is a “dishonorable” discharge and the VA must determine whether the discharge was under “Conditions other than dishonorable” as defined by the statute. It does this by presuming that former service members with OTH and bad conduct discharges are not legally veterans. But it provides an administrative process that evaluates the characterization of discharge (COD) to determine and possibly “recharacterize” whether the former service member’s discharge was “honorable for VA purposes.” The VA process, governed by 38 CFR 3.12, includes a full review of the veteran’s service records, reason for discharge and mitigating factors to the discharge status. The veteran’s service is reviewed to determine if it is statutorily or regulatorily barred and if it is

“honest, faithful and meritorious and of benefit to the Nation.” The result is an administrative decision. If a former service member is recharacterized as “honorable for VA purposes” this designation changes the former service member into a veteran in the eyes of the VA. This designation is memorialized in a decision document and easily verifiable by the VA. Furthermore, the VA has a vested interest in continually refining and improving this process to serve its mission to care for those “who shall have borne the battle.”

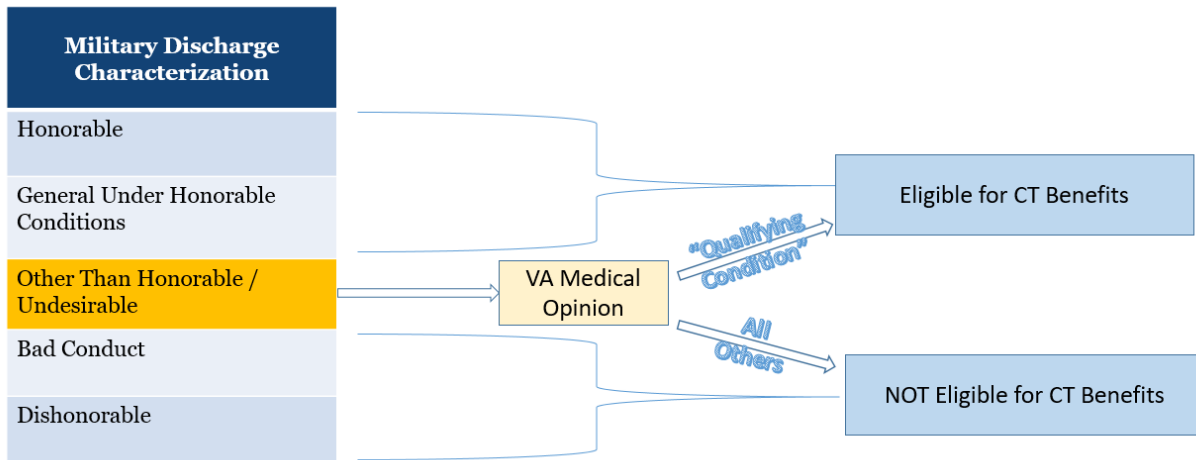
VA Recharacterization Process



Connecticut’s definition of a veteran is governed by CGS 27-103. Until October 2018, that definition was restricted to former service members who received honorable or general discharges. PA 18-47 extended the definition of veteran to include people with OTH discharges and a “qualifying condition” defined as “a diagnosis of post-traumatic stress disorder or traumatic brain injury...or an experience of military sexual trauma” if confirmed by a VA clinician. The expanded CT definition of veteran allowed an estimated 800 additional former service members to possibly utilize benefits previously limited to veterans with honorable or general discharges. However, there are still many veterans who the federal government determines are “honorable for VA purposes” who are not recognized as veterans by the state of Connecticut.

Current CT Definition of Veteran

CSG 27-103



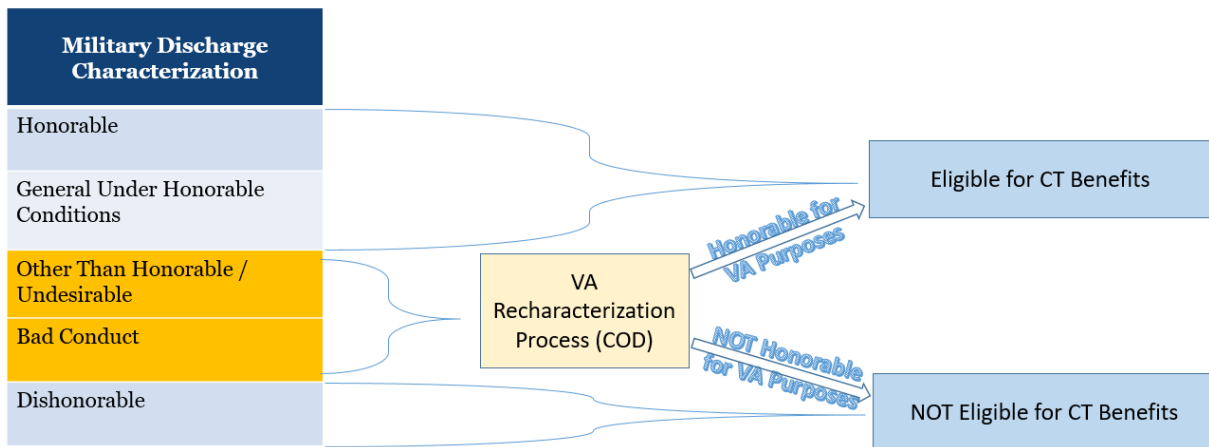
Unfortunately, CT excludes these veterans from state benefits unless the veteran is willing to disclose their private mental health diagnosis to town clerks, DMV employees, and school officials. However, simply recognizing the existing processes by the federal VA would make these practices unnecessary, save the state and local governments time, and ease the burden on former service members.

The federal VA in CT spends \$15,500 per year on medical care for a veteran. They do not make the decision to change the characterization of a veteran lightly. The full weight of the VA is behind this change and the recharacterized veteran is eligible for all VA benefits regardless of the discharge status on their DD214. The VA has determined these veterans served their country and completed their service honorably and that they are entitled to medical care, housing services, employment services, education benefits, service connected disability benefits, non-service connected benefits using the same guidelines as veterans with honorable on their DD214.¹

Because the VA follows a well-documented process in order to determine who is eligible for VA's extensive and expensive services, we propose expanding CGS 27-103's definition of a veteran to include former service members who have been recharacterized as "honorable for VA purposes" by the VA.

¹ There is additionally a second federal procedure. Former service members who do not meet the definition of can apply to various board of records correction to upgrade to their discharge to honorable or general under honorable. If successful, it does trigger recognition by the state of Connecticut. However, the process has a very low rate of success and takes an average of three years. Formally state recognition of the VA's determination would save time and better assist veterans.

Proposed Definition of Veteran CGS 27-103 (proposed)



Examples of the Problem

1)

Veteran serves from 1985 through 2007 going through re-enlistment process every 4 years. After 16 years in the Army and multiple deployments, the veteran starts to experience a psychotic break. The veteran's behavior changes drastically, he hears voices and he starts to receive punishments for acting out, missing formations, many minor misconducts. He is ultimately issued a DD214 with a discharge status of Other than Honorable. Based on his DD214, he is not eligible for any federal or CT benefits. When he applies for benefits at the VA, the VA reviews the DD214 and schedules the veteran to go through the Recharacterization process. His service is reviewed and under 38 CFR 3.13 his first 16 years of service are determined to be honorable. He is granted full access to all VA benefits.

He is not eligible for any CT benefits. This proposal would allow access to CT Benefits for this veteran.

2)

A victim of military sexual trauma is discharged due to drug use after 3 and a half years of service. The incident happened shortly after basic training and was not reported. The veteran served well and received good evaluations for two years but slowly deteriorated. When the veteran was again assigned into the same unit as the person who assaulted them, they started to drink heavily and turn to pills to help sleep. This quickly escalated and the veteran failed a random drug test. Despite efforts at rehabilitation, as long as the veteran was in service, they were unable to start recovery. The veteran was discharged administratively with Other than Honorable discharge characteristic. Post military, the veteran sought treatment for PTSD due to MST and the VA allowed medical care under the Honor Our Commitment Act while the veteran's discharge status was reviewed under the recharacterization process. Three months

later, the veteran's service is found honorable for VA purposes, eligible for VA health care and service connected disability for PTSD due to MST. The veteran also applied to changed their DD214 but the application was denied and the veteran is appealing the denial.

They are not eligible for any CT benefits - this proposal would allow access to CT Benefits for this veteran

- 3) Veteran serves from 1985 through 1986 and his discharged with Other Than Honorable discharge characteristic after several AWOLs and failing two drug tests. Based on his DD214, he is not eligible for any federal or CT benefits. When he applies for benefits at the VA, the VA reviews the DD214 and schedules the veteran to go through the Recharacterization process. His service is reviewed and under 38 CFR 3.12 and it is determined that his service is barred from VA benefits due to Willful and Persistent misconduct under 38 CFR 3.12(d). He is denied access to VA benefits with the exception of medical care for any service connected disabilities.

He is not eligible for any CT benefits – this proposal would *NOT* allow access to CT Benefits for this veteran

Current Definition

"**veteran**" means any person (i) honorably discharged from, or released under honorable conditions from active service in, the armed forces, as defined in section **27-103**, as amended by this act, or (ii) with a **qualifying condition**, as defined in said section, who has received a discharge other than bad conduct or dishonorable from active service in the armed forces.²

Sec. 27-103. Definitions. (a) As used in the general statutes, except chapter 504, and except as otherwise provided: (1) "Armed forces" means the United States Army, Navy, Marine Corps, Coast Guard and Air Force and any reserve component thereof, including the Connecticut National Guard performing duty as provided in Title 32 of the United States Code, as amended from time to time; (2) "**veteran**" means any person honorably discharged from, or released under honorable conditions from active service in, the armed forces; (3) "service in time of war" means service of ninety or more cumulative days except, if the period of war lasted less than ninety days, "service in time of war" means service for the entire period of war, unless separated from service earlier because of a service-connected disability rated by the United States Department of Veterans Affairs, during a period of war; (4) "period of war" has the same meaning as provided in 38 USC 101, as amended from time to time, except that the "Vietnam Era" means the period beginning on February 28, 1961, and ending on July 1, 1975, in all cases; and "period of war" shall include service while engaged in combat or a combat support role in Lebanon, July 1, 1958, to November 1, 1958, or September 29, 1982, to March 30, 1984; Grenada, October 25, 1983, to December 15, 1983; Operation Earnest Will, involving the escort of Kuwaiti oil tankers flying the United States flag in the Persian Gulf, July 24, 1987, to August 1,

² Added in Oct 2018 by PA 18-47 (aka SB284)

1990; and Panama, December 20, 1989, to January 31, 1990, and shall include service during such periods with the armed forces of any government associated with the United States; and (5) "qualifying condition" means a diagnosis of post-traumatic stress disorder or traumatic brain injury made by, or an experience of military sexual trauma, as described in 38 USC 1720D, as amended from time to time, disclosed to, an individual licensed to provide health care services at a United States Department of Veterans Affairs facility.

Proposal

If the CT definition of Veteran was modified to utilize not just the DD214 but also VA's recharacterization decision, then the veterans described would have access to both the VA and to CT specific benefits.

CGS would be modified to state "**veteran**" means any person ... or (ii) with a qualifying condition, as defined in said section, who has received a discharge other than bad conduct or dishonorable from active service in the armed forces; or (iii) with an administrative decision from the Department of Veteran Affairs stating the veteran's service is honorable or honorable for VA purposes

OLR Backgrounder: State Veterans' Benefits

By: Michelle Kirby, Senior Legislative Attorney
October 25, 2018 | 2018-R-0235

Issue

Provide a summary of the primary benefits the state provides to veterans? This report updates OLR report [2017-R-0169](#) and does not include federal benefits.

Summary

State law defines a “veteran” in several ways, with some statutes defining a veteran especially for a particular benefit program. In the absence of a specific definition, eligibility is determined according to a general definition in [CGS § 27-103\(a\)\(2\)](#). This law, as amended by [PA 18-47](#) (effective October 1, 2018), defines a veteran as an individual (1) honorably discharged or released under honorable conditions from active service in the armed forces or (2) discharged under conditions other than dishonorable or for bad conduct and has a "qualifying condition" (i.e., a diagnosis of post-traumatic stress disorder or traumatic brain injury, or who have disclosed a military sexual trauma experience). By law “armed forces” means the U.S. Army, Navy, Marine Corps, Coast Guard, and Air Force and any of their reserve components, including the Connecticut National Guard performing duty under Title 32 of the U.S. Code (e.g. certain Homeland Security missions)([CGS § 27-103\(a\)\(1\)](#)).

To qualify for some benefits, war service is required. Other benefits are available to all veterans honorably discharged from active-duty service, irrespective of whether they served during wartime. All veterans, including those who do not have wartime service, are eligible for miscellaneous benefits, including admission to the Veterans’ Healthcare Center and burial in the state veterans’ cemetery. A veteran’s spouse, surviving spouse, or dependent children are eligible for some benefits.

Veterans are eligible for state benefits, regardless of their discharge classification, if they were or would have been denied such benefits solely based on their sexual orientation under any current or former federal policy prohibiting homosexual personnel from serving in the military ([CGS § 27-102q](#)).

This report organizes veterans' benefits based on whether or not war service is required.

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War Service Benefits

To be eligible for war service benefits, a veteran must have completed at least 90 days cumulative wartime service during or in specified wars, operations, or conflicts unless he or she (1) was separated from service sooner because of a Veterans' Administration (VA)-rated, service-connected disability or (2) served for the duration of any military operation that lasted for less than 90 days.

Table 1 shows the post-1940 qualifying war periods for purposes of state veterans' benefits.

Table 1: Post-1940 "Service in Time of War"

Operation	Date	Service Condition
World War II	12/07/41-12/31/46*	Active service during the war
Korean War	06/27/50-01/31/55	Active service during the war
Lebanon Conflict	07/01/58-11/01/58 or 09/29/82-03/30/84	Combat or combat-support role in Lebanon
Vietnam Era	02/28/61-07/01/75	Active service during the war
Grenada invasion	10/25/83-12/15/83	Combat or combat-support role in Grenada required
Operation Earnest Will (escort of Kuwaiti tankers flying U.S. flag in the Persian Gulf)	07/24/87-08/01/90	Combat or combat-support role required in the operation
Panama invasion	12/20/89-01/31/90	Combat or combat-support role required in the invasion
Persian Gulf War	08/02/1990 until a date prescribed by the President or law	Active-service anywhere during the war (not necessarily in the Persian Gulf or in a combat role)

*Ending dates specified in [CGS § 12-86](#) for property tax exemptions are 12/31/47.

Sources: 38 USC § 101; [CGS § 27-103](#)

Education Benefits

Financial Aid for Certain Children. The law provides state aid to children between ages 16 and 23 of wartime veterans who were killed in action, died from an illness or accident while on active duty, are totally and permanently disabled, or missing in action in Vietnam. The amount of aid, which is based on need, is up to \$400 per year for tuition, matriculation fees, board, rent, books, and supplies ([CGS § 10a-166](#)).

High School Diplomas. Local or regional school boards may award high school diplomas to honorably discharged World War II, Korean War, and Vietnam War veterans who did not receive their diplomas because they left high school for military service ([CGS § 10-221a\(i\)](#)).

Tuition Waivers. The law requires the state's public colleges and universities to waive tuition in excess of federal veterans' benefit via post 9/11 GI bill, for wartime veterans who are accepted at an approved institution and live in the state at the time of the acceptance. The waiver applies at community-technical colleges, the Connecticut State University System (CSUS), and the University of Connecticut (UConn). It covers the cost of tuition for credit-bearing undergraduate and graduate programs. It does not apply to other charges or fees, such as student activity fees and room and board (CGS §§ [10a-77](#)(e)(1), [10a-99](#)(e)(1), and [10a-105](#)(f)(1)).

Employment

Civil Service Exams. The law gives bonus points to wartime veterans who achieve a passing score on initial state and municipal civil service examinations. A wartime veteran eligible for or receiving Veterans Affairs (VA) disability compensation or pension, and unable to pursue gainful employment because of the disability, receives 10 bonus points; a wartime veteran ineligible for VA disability compensation or pension is eligible for five bonus points (CGS §§ [5-224](#) and [7-415](#)).

If an honorably discharged or released veteran has served in a military action and received or is entitled to receive a campaign badge or expeditionary medal and is not otherwise eligible to receive bonus points, he or she qualifies for five bonus points if he or she receives the passing grade on the examination ([CGS § 5-224](#)).

Financial and Other Aid

Commissioner's Temporary Assistance. By law, wartime veterans who need help because of a disability or other service-related cause are eligible for temporary financial assistance from the veterans' affairs commissioner in an amount and for a time he decides. He may also help the spouse, parents, children, or siblings of any veteran who died as a result of such service if they cannot support themselves because of the veteran's death ([CGS § 27-125](#)).

Soldiers', Sailors' and Marines' Fund. This fund provides assistance (temporary aid, food, clothing, medical and surgical aid, general care and relief, or burial expenses) to needy wartime veterans or their (1) spouses living with them or who lived with them when they died or (2) dependent children under age 18. The veteran must live in the state when he or she applies for and while getting the assistance ([CGS § 27-138 et seq](#)).

Motor Vehicle Registration Fee Exemptions for Disabled Vets

The law grants free motor vehicle registration to disabled wartime veterans with certain service-connected disabilities, former prisoners of war, and recipients of the Congressional Medal of Honor. Disabled veterans are eligible for fee exemptions for up to three vehicles in the (1) passenger; (2) camper; or (3) combination passenger and commercial registration categories, whether the veteran owns or leases them. The other two categories of veterans are eligible for exemptions on two vehicles. The spouses of the recipients of the Congressional Medal of Honor and former prisoners of war may retain the registration for life or until remarriage (CGS §§ [14-49\(o\)](#) & [14-21d](#)).

Disabled wartime veterans with certain VA-rated disabilities are entitled, upon application, to free special license plates. The plate exempts the veterans from overtime parking fines, provided they do not leave their vehicles at the same spot for more than 24 hours. Surviving spouses may keep the plates and identification cards until death or remarriage ([CGS § 14-254](#)).

Miscellaneous War Service Benefits

Burial Expenses. When any wartime veteran dies and does not leave enough money to pay for burial expenses, as determined by the commissioner after consulting with the appropriate probate court, the state must pay \$1,800 toward his or her funeral expenses or cremation. Claims must be made within one year after the veteran dies or his or her remains are returned from abroad ([CGS § 27-118](#)).

Bonus Program. Current or former guard members called to active service on or after September 11, 2001, are entitled to a service bonus of up to \$1,200 (1) if they are or were in active service for at least 90 consecutive days; (2) if while in such service, they are or were deployed in a combat zone designated by the president; and (3) if discharged, they were discharged honorably or because of a line-of-duty injury. There is also a \$500 maximum bonus for otherwise qualified current or former guard members whose active service is or was not in a combat zone. Applicants must submit bonus requests within three years after the end of the operation in which they served ([CGS § 27-61a](#)).

Depleted Uranium Exposure Tests. The law requires the adjutant general and the veterans' affairs commissioner to help eligible guard members and veterans get federal treatment services, including a best practice health screening test for exposure to depleted uranium, if they (1) are assigned a risk level I, II, or III for depleted uranium exposure by their branch of service; (2) are referred by a military physician; or (3) have reason to believe that they were exposed to depleted uranium during military service.

The law applies to (1) Connecticut National Guard members who served in the Persian Gulf War or in an area designated as a combat zone by the president during Operation Enduring Freedom or Operation Iraqi Freedom and (2) honorably discharged veterans who served as guard members under these same circumstances ([CGS § 27-140ii](#)).

Free Passes to Any State Park, Forest, or State Recreational Facility for Certain Disabled Veterans. The law grants a free non-transferrable lifetime pass for state parks, forests, and recreational facilities to any resident who is a disabled wartime veteran. The pass allows free admission and boat access parking ([CGS § 23-26\(d\)](#)). (The pass does not apply to any park, forest, or facility that a private concessionaire wholly manages and may not apply to payments required for special events.)

Funeral Honor Guards. A veteran is entitled to an honor guard detail at his or her funeral if the veteran served in wartime, served in the National Guard for more than 20 years, or died while serving as a guard member ([CGS § 27-76](#)).

Itinerant Vendor Permit Fee Exemptions. Wartime veterans are exempt from the \$200 fee for a town hawker and peddler permit (but not from the requirement to get a permit). The veteran must live in the state for at least two years before he or she qualifies ([CGS § 21-37](#)).

Wartime veterans are entitled to an exemption from any local itinerant vendor's license fee, if they live in Connecticut for at least two years before applying ([CGS § 21-30](#)).

Veterans' Service Ribbons and Medals. The veterans' affairs commissioner, in conjunction with the adjutant general, must award a ribbon and medal to any wartime veteran who lived in Connecticut when called to active duty service or is living in Connecticut when the award is made. The award is called the Connecticut Veterans Wartime Service Medal. Within existing budgetary resources, the law allows posthumous awards to veterans who died on or after November 12, 1918 ([CGS § 27-73e](#)). More information, including how to apply for the award, is available at: <http://www.ct.gov/ctva/cwp/view.asp?a=1992&q=313194>.

Property Tax Exemptions

State Mandated. State law provides, at a minimum, \$1,500 in municipal property tax exemptions for qualified veterans. The main state-mandated veterans' property tax exemptions in Connecticut are granted through two statutes: (1) [CGS § 12-81\(19\)](#) requires municipalities to exempt from taxation \$1,000 of the property owned by a veteran or his or her surviving spouse (i.e., basic exemptions) and (2) [CGS § 12-81g](#) requires municipalities to give veterans who get the basic

exemption an additional income-based exemption. For a veteran whose income falls below a certain statutorily determined limit, the additional exemption is equal to twice the basic exemption ([CGS § 12-81g\(a\)](#)). For a veteran whose income exceeds the limit, the additional exemption is 50% of the basic exemption ([CGS § 12-81g\(d\)](#)).

Eligibility. In addition to those veterans who meet the general 90-day active-duty during war and honorable discharge requirement, those still in the service are eligible for property tax exemptions if they meet the 90-day war service requirement, as are veterans who retired after 30 years of service. World War II veterans with certain Merchant Marine service and military service with allied armies also qualify ([CGS § 12-81\(19\)](#)). A veteran's spouse is ordinarily entitled to the property tax exemption for which the deceased veteran qualified. A sole surviving parent and the minor child of a veteran who died while serving in the armed forces or after receiving an honorable discharge is also entitled to an exemption ([CGS § 12-81\(19\) to \(25\)](#)).

To obtain an exemption, an applicant must document his or her eligibility to the local town clerk. If the veteran is no longer in service, he or she must establish eligibility only once to receive the basic exemption; if the veteran is still serving, he or she must send the town clerk a written statement every year signed by his or her commanding officer or other appropriate officer attesting to his or her service. For income-based exemptions, the veteran must reestablish his or her eligibility every two years. Veterans' disability payments are excluded when determining income for an income-based property tax exemption for veterans.

Additional Local Option Tax. [CGS § 12-81f](#), as amended by [PA 18-102](#), allows municipalities to provide a property tax exemption in addition to the veterans' exemptions they are required to provide by law. The exemption can be up to \$20,000 or 10% of a property's assessed value for eligible veterans. Municipalities may increase the income threshold for eligibility, with the minimum being the amount the state annually sets for other property tax exemptions (for 2018, \$35,300 for individuals and \$43,000 for married joint filers). The state does not reimburse municipalities for revenue they lose as a result of providing the optional exemption. For a more detailed discussion of property tax exemptions, see OLR Report [2018-R-0236](#).

Retirement Credit

Members of the Municipal Employees' Retirement System who leave municipal employment to enter the armed forces while the United States is at war, engaged in hostilities, or during national emergencies and are reemployed by the municipality within six months of discharge are credited with the period of service as though they had been continuously employed. This six-month limitation can be extended in cases of a service-related disability ([CGS § 7-434](#)).

Wartime veterans who become members of the State Employees' Retirement System; Teachers' Retirement System; or Judges Retirement System may purchase retirement credit for time of service. The Teachers' Retirement System allows credit for up to 30 months for peacetime military service. Veterans purchasing teachers' retirement credit may not receive or be eligible to receive retirement credit for service from any other government source (CGS §§ [5-180](#); [10-183e\(b\)\(3\)](#) and [\(11\)](#); and [51-49h](#)).

State police officers, correction guards and instructors, and other people in hazardous duty service who were granted military leave and returned to service within 90 days after discharge receive retirement credit for any period of wartime service. They may also get retirement credit for wartime service prior to such employment, provided they make the appropriate contributions to the retirement fund ([CGS § 5-173](#)).

Benefits Not Requiring War Service

Admission to the Veterans Healthcare Center

Veterans who need medical or surgical care and treatment are eligible for admission to the Veterans Healthcare Center. Those with no adequate means of support are also eligible for admission to certain hospitals at state expense unless other funds or means of payment are available ([CGS § 27-108](#)). The veterans affairs commissioner has sole power to determine who is admitted to these facilities.

Burial in the State Veterans' Cemetery

Any veteran may ask the veterans affairs commissioner to be buried in the state veterans' cemetery. The veteran and his or her spouse are eligible for such burial ([CGS § 27-122b](#)).

Certain Veterans Benefits Not Included in Assistance Program Eligibility Calculations

To the extent allowed under federal law, state law directs the Department of Social Services commissioner to disregard a veteran's or surviving spouse's federal Aid and Attendance Pension benefits when calculating income for certain means-tested assistance programs (e.g., Medicaid) ([CGS § 17b-28i](#)).

Civil Service Exams

[PA 18-44](#), effective October 1, 2018, gives five bonus points to certain armed forces members who achieve a passing score on initial state civil service examinations. A service member qualifies for the bonus points if he or she is in the final year of an enlistment contract with any branch of the armed forces.

[PA 18-47](#) (§ 4), effective October 1, 2018, also gives five civil service exam bonus points to veterans who (1) were discharged under conditions other than dishonorable or for bad conduct and (2) have a qualifying condition (described above).

Department of Motor Vehicle (DMV) Fee and License Waivers

Motor Vehicle Fees and Plates. A veteran who applies within two years of receiving an honorable discharge is exempt from paying motor vehicle operator's license and registration fees for one licensing period ([CGS § 14-50\(c\)](#)).

A veteran may request a waiver of the motor vehicle license examination if he or she (1) previously held a military operator's license and (2) applies within two years of separation from service ([CGS § 14-36\(e\)](#)).

State law allows any type of motor vehicle owned or leased by a veteran or his or her surviving spouse for one year or longer to qualify for special veterans' license plates ([CGS § 14-20b](#)).

The law specifies that the DMV commissioner must issue a special registration certificate and a set of number plates to veterans, armed forces members, or their surviving spouse for any motor vehicle they use exclusively for farming as long as they engage in agricultural production as a trade or profession ([CGS § 14-20b](#)).

Veterans Status on Driver's License and Identity Card. The DMV commissioner must include a person's status as a veteran on his or her state driver's license or identity card. To get this, the person must submit a request to have this status included to the Department of Veterans Affairs, which must verify the status to the DMV commissioner ([CGS § 14-36h\(e\)](#)).

Windshield Handicap Placard. Veterans with post-traumatic stress disorder (PTSD) have an additional option to receive a windshield handicap placard. The law allows an applicant to get the placard by providing certification from a U.S. Department of Veterans Affairs psychiatrist that he or she (1) is a veteran who has service-connected PTSD and (2) meets the federal definition of a person with a disability that limits or impairs the ability to walk ([CGS § 14-253a](#)).

Economic Benefits

Tax Incentives. The law provides a tax incentive to encourage certain veterans to start a farming business. Specifically, the law relaxes the conditions eligible veterans must meet to qualify for a sales and use tax exemption permit for property used exclusively in commercial agricultural production ([CGS § 12-412\(63\)\(D\)](#)).

Veterans Small Business Preference. The law provides certain veteran-owned businesses with up to a 15% price preference for certain Department of Administrative Services open market orders or contracts. These businesses must have gross revenue of up to \$3 million in the most recently completed fiscal year and have at least 51% of the ownership be held by one or more veterans ([CGS § 4a-59\(c\)](#)).

Educational Credit for Military Experience

The law requires public higher education institutions to award college credit for military occupational specialty training to enrolled veterans ([CGS § 10a-149d](#)). The applicant must have experience in a military occupation the institution recognizes as substituting for or meeting the requirements of, a particular course of study. Under the act, a "veteran" is anyone discharged or released under conditions other than dishonorable from active service in the armed forces.

Employment

Reinstatement. State and municipal employers must reinstate an employee if he or she left service to enter the armed forces and applies to return to the job within 90 days after receiving a certificate confirming satisfactory military service. The appointing authority must certify in writing that the employee is able and qualified to perform the work required and that work is available ([CGS §§ 5-255](#) and [7-462](#)).

Foreclosure Protection

[PA 18-174](#), effective July 1, 2018, requires municipalities served by a PURA-regulated private water company with a population of at least 100,000 to adopt ordinances that, among other things, protect veterans, seniors, and low-income families from water pollution control authority foreclosures by restricting accelerated foreclosure proceedings for past due sewer fees. The new law also institutes a one year delay for foreclosure actions on liens held by water pollution control authorities.

Housing

Any entity operating a Department of Economic Development-funded low- or moderate-income rental housing project must give preference to veterans competing with other applicants when housing needs are substantially equal ([CGS § 8-75](#)).

Institutional Aid for Undocumented Honorably Discharged Veterans

A new law allows certain honorably discharged veterans without legal immigration status to access institutional aid to attend a state public higher education institution (i.e., UConn and the Connecticut State Colleges and Universities). These veterans are eligible, to the extent allowed by federal law, if they meet certain age and criminal background requirements and file with the institution an affidavit about their intent to legalize their immigration status ([PA 18-2](#), effective upon passage).

Licensing and Registration Exemptions

License and Registration Fees. Veterans are exempt from annual and biennial license and registration fees or occupational taxes for one year after they are honorably discharged from active service in the U.S. Armed Forces ([CGS § 27-102a](#)).

Hairdressing or Cosmetology. A veteran whose hairdressing or cosmetology license expired while he or she was in the armed services may have it reinstated without paying the \$5 renewal fee ([CGS § 20-256](#)).

Embalmer or Funeral Director Reinstatement. When a veteran's embalmer or funeral director's license expires while he or she is in the armed forces, the Department of Public Health (DPH) may waive the examination required for reinstatement, provided the department approves the veteran's professional qualifications. The veteran must apply within a year of separation from service ([CGS § 20-228](#)).

Licensure and Certification for Military Training

The law requires state agencies or boards that issue licenses or certificates requiring professional training, schooling, or apprenticeship to provide credits or exemptions to applicants who received applicable training, schooling, or experience while serving in the armed forces. It prohibits agencies from requiring applicants to repeat any substantively similar training or schooling required for licensure or certification ([CGS § 27-102b](#)).

The law requires various government entities to certify, waive, grant, or award certain licenses, registrations, examinations, training, or credit for veterans with military experience or qualifications similar to those otherwise required. Under the law, a "veteran" is anyone discharged or released under conditions other than dishonorable from active service in the armed forces.

For qualified veterans, the law requires the:

1. Police Officer Standards and Training Council to certify them as police officers ([CGS § 7-294d](#));
2. DMV to waive certain examinations or tests for motor vehicle operator's licenses ([CGS § 14-36\(e\)](#));
3. Department of Labor to submit a recommendation for review that waives the apprentice requirement to the appropriate licensing board and Department of Consumer Protection to allow the applicants to sit for licensing exams (CGS §§ [20-333](#) & [31-22u](#));
4. Department of Emergency Services and Public Protection to waive security guard training ([CGS § 29-161q](#)); and
5. DPH to certify them as emergency medical technicians ([CGS § 19a-179](#)).

Pretrial Diversionary Programs

Pretrial diversionary programs allow criminal defendants to avoid prosecution and incarceration by successfully completing these court-sanctioned community-based treatment programs before trial. Veterans may participate in an accelerated pretrial rehabilitation program twice, whereas non-veterans may only participate once ([CGS § 54-56e](#)).

The accelerated rehabilitation program is available for people accused of certain crimes or motor vehicle violations. It also allows veterans (1) participating in the pretrial drug education program or (2) with certain mental health conditions that are amenable to treatment to be assigned to state and federal departments of veterans affairs services as an alternative to services from the Department of Mental Health and Addiction Services (CGS §§ [54-56i](#) and [54-56l](#)).

Probate Records

When the VA needs a probate record to determine a veteran's eligibility for benefits, the official with custody of the record must provide a free certified copy ([CGS § 45a-12](#)).

Property Tax Exemptions

State Mandated. State law allows property tax exemptions for veterans with (1) a VA-rated disability of at least 10% ([CGS § 12-81\(20\)](#)) and (2) severe service-related disabilities ([CGS § 12-81\(21\)](#)). Veterans with a VA disability rating of 10% or more are eligible for exemptions ranging from \$1,500 to \$3,000. Veterans with a severe, service-related disability rating are eligible for an exemption of either \$5,000 or \$10,000 depending on the nature of the disability. Veterans in the latter category may claim both exemptions, provided they meet the criteria for the first exemption.

Additional Income-Based Exemption. [CGS § 12-81g](#) requires municipalities to give veterans who get the disabled or severe service-related disabled exemption an additional income-based exemption, which is the same threshold as a wartime exemption. For a veteran whose income falls (1) below a certain statutorily determined limit, the additional exemption is equal to twice the exemption ([CGS § 12-81g\(a\)](#)) and (2) above the limit, the additional exemption is 50% of the exemption ([CGS § 12-81g\(d\)](#)). For 100% disabled veterans, the law statutorily sets the limit at \$18,000 for unmarried veterans and \$21,000 for married veterans, while others with disabilities have the same limit as the wartime veterans exemption (see above).

Additional Local Option for 100% Disabled Veterans. The law allows a municipality, with its legislative body's approval, to provide 100% disabled veterans, under certain income thresholds, with three times the amount provided under the additional income-based exemption (see above). The income eligibility thresholds for this optional municipal property tax exemption is \$21,000, if single and \$24,000, if married ([CGS § 12-81g\(b\)](#)).

Additional Local Option for Disabled Veterans. Existing law allows a municipality to provide an additional property tax exemption to disabled veterans (but not to severely disabled veterans) with the same qualifying income levels as the additional optional municipal wartime veteran exemption (see above). If the municipality chooses to provide the exemption for disabled veterans, the exemption must be at least \$3,000 and applied to the assessed value of the veteran's property ([CGS § 12-81f\(b\)](#)), as amended by [PA 18-102](#)).

Additional Local Option for Certain Non-disabled Veterans. The law establishes an additional optional municipal veteran's property tax exemption by allowing municipalities, with their legislative body's approval, to provide a property tax exemption to certain veterans who do not qualify for certain existing veteran property tax exemptions (i.e., wartime, disabled, and severe service-related exemptions). A municipality may exempt up to \$5,000 or 5% of the property's assessed value ([CGS § 12-81jj](#)). The qualifying income is the same as that of the additional optional municipal wartime veteran exemption (see above)([CGS § 12-81jj](#), as amended by [PA 18-102](#) and [PA 18-72](#), § 43). For a more detailed discussion of property tax exemptions, see OLR Report [2018-R-0236](#).

State Identification Card Fee Waiver for Blind Veterans

The law authorizes the DMV commissioner to waive the \$22.50 non-driver identification card fee for blind veterans ([CGS § 1-1h](#)).

Security Deposit Program

By law, the Department of Housing, through its Security Deposit Guarantee Program and within available appropriations, must provide security deposit guarantees (payment for any damages that occur) to financially eligible people living in emergency housing or receiving a government rental subsidy. The commissioner must prioritize providing these guarantees to eligible veterans ([CGS § 17b-802](#)).

Tax Retirement Income Exemption

State law fully exempts federally taxable military retirement pay from the state income tax ([CGS § 12-701\(20\)\(B\)\(xvii\)](#)).

Teacher Permit for Veterans' Spouses

[PA 18-144](#), effective July 1, 2018, requires the State Board of Education, upon receipt of a proper application, to issue a three-year "military spouse teacher permit" to certain military spouses who have taught for at least two years under an appropriate certificate issued by another state, the District of Columbia, a U.S. territory or possession, or Puerto Rico. In doing so, the act permits such individuals to teach in the Connecticut public school system without completing the Connecticut teacher education and mentoring program. This applies to the spouse of any member of the armed forces who has received military orders to come to Connecticut.

Utility Termination

The law limits when utility companies can terminate residential service for non-payment in hardship cases, which includes a veteran whose sole source of financial support is his or her veterans' benefit ([CGS § 16-262c\(b\)\(3\)](#)). For more information on utility termination, see OLR Report [2012-R-0170](#).

Veterans' Benefits Exempt from Post-judgment Debt Collection

By law, veterans' benefits cannot be collected as part of postjudgment proceedings from people who have secured a court order (e.g., installment payment order or wage execution) ([CGS § 52-352b](#)).

Additional Resources

Proof of Eligibility

Veterans' benefits are not granted automatically. The veteran or a qualified dependent must claim them. To make a claim, the applicant must document his or her eligibility. The most common proof of eligibility is the Department of Defense document, DD 214. (All military services have used DD 214s since January 1, 1950, according to the U.S. Department of Veterans' Affairs (<http://www.dd214.us/>); before then, similar documents were called a "Report of Separation" and a "Certificate of Service.")

The National Archive's website states that "most veterans and their next-of-kin can obtain free copies of their DD Form 214 (or the applicable separation document) and records several ways," and provides the following link for them to do so: <http://www.archives.gov/veterans/military-service-records/index.html>.

Veterans' Department Office of Advocacy and Assistance

For further information on programs and eligibility requirements, veterans may contact the state Veterans' Department Office of Advocacy and Assistance at (866) 9CT-VETS and visit the Veterans' Department website: www.ct.gov/ctva/.

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