



Senate

General Assembly

File No. 537

January Session, 2009

Senate Bill No. 846

Senate, April 8, 2009

The Committee on Planning and Development reported through SEN. COLEMAN of the 2nd Dist., Chairperson of the Committee on the part of the Senate, that the bill ought to pass.

AN ACT CONCERNING THE DISABLED VETERANS' PROPERTY TAX EXEMPTION.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subdivision (20) of section 12-81 of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective from*
3 *passage*):

4 (20) Subject to the provisions hereinafter stated, property not
5 exceeding three thousand dollars in amount shall be exempt from
6 taxation, which property belongs to, or is held in trust for, any resident
7 of this state who has served, or is serving, in the Army, Navy, Marine
8 Corps, Coast Guard or Air Force of the United States and (1) has a
9 disability rating by the Veterans' Administration of the United States
10 amounting to ten per cent or more of total disability, provided such
11 exemption shall be fifteen hundred dollars in any case in which such
12 rating is between ten per cent and twenty-five per cent; two thousand
13 dollars in any case in which such rating is more than twenty-five per
14 cent but not more than fifty per cent; twenty-five hundred dollars in

15 any case in which such rating is more than fifty per cent but not more
16 than seventy-five per cent; and three thousand dollars in any case in
17 which such person has attained sixty-five years of age or such rating is
18 more than seventy-five per cent; or (2) is receiving a pension, annuity
19 or compensation from the United States because of the loss in service
20 of a leg or arm or that which is considered by the rules of the United
21 States Pension Office or the Bureau of War Risk Insurance the
22 equivalent of such loss. If such veteran lacks such amount of property
23 in his or her name, so much of the property belonging to, or held in
24 trust for, his or her spouse, who is domiciled with him or her, as is
25 necessary to equal such amount shall also be so exempt. When any
26 veteran entitled to an exemption under the provisions of this section
27 has died, property belonging to, or held in trust for, his or her
28 surviving spouse, while such spouse remains a widow or widower, or
29 belonging to or held in trust for his or her minor children during their
30 minority, or both, while they are residents of this state, shall be exempt
31 in the same aggregate amount as that to which the disabled veteran
32 was or would have been entitled at the time of his or her death. No
33 individual entitled to exemption under this subdivision and under one
34 or more of subdivisions (19), (22), (23), (25) and (26) of this section shall
35 receive more than one exemption. No individual shall receive any
36 exemption to which he or she is entitled under this subdivision until
37 he or she has complied with section 12-95 and [until he or she has, in
38 each year in which such exemption is being sought, submitted
39 evidence satisfactory to the assessors as to his or her actual disability
40 rating on the assessment day as of which such exemption is being
41 sought, except that proof of disability of persons who have attained the
42 age of sixty-five years or who have presented Veterans' Administration
43 certificates showing permanent total disability need be filed but once]
44 has submitted proof of his or her disability rating, as determined by
45 the Veterans' Administration of the United States, to the assessor of the
46 town in which the exemption is sought. If there is no change to an
47 individual's disability rating, such proof shall not be required for any
48 assessment year following that for which the exemption under this
49 subdivision is granted initially. If the Veterans' Administration of the

50 United States modifies a veteran's disability rating, such modification
 51 shall be deemed a waiver of the right to such exemption until proof of
 52 disability rating is submitted to the assessor and the right to such
 53 exemption is established as required initially. Any person who has
 54 been unable to submit evidence of disability rating in the manner
 55 required by this subdivision, or who has failed to submit such
 56 evidence as provided in section 12-95, may, when he or she obtains
 57 such evidence, [satisfactory to the assessors,] make application to the
 58 collector of taxes within one year after he or she obtains such proof or
 59 within one year after the expiration of the time limited in section 12-95,
 60 as the case may be, for abatement in case the tax has not been paid, or
 61 for refund in case the whole tax has been paid, of such part or the
 62 whole of such tax as represents the service exemption. Such abatement
 63 or refund may be granted retroactively to include the assessment day
 64 next succeeding the date as of which such person was entitled to such
 65 disability rating as determined by the Veterans' Administration of the
 66 United States, but in no case shall any abatement or refund be made
 67 for a period greater than three years. The collector shall, after
 68 examination of such application, refer the same, with his
 69 recommendations thereon, to the board of selectmen of a town or to
 70 the corresponding authority of any other municipality, and shall
 71 certify to the amount of abatement or refund to which the applicant is
 72 entitled. Upon receipt of such application and certification, the
 73 selectmen or other duly constituted authority shall, in case the tax has
 74 not been paid, issue a certificate of abatement or, in case the whole tax
 75 has been paid, draw an order upon the treasurer in favor of such
 76 applicant for the amount without interest which represents the service
 77 exemption. Any action so taken by such selectmen or other authority
 78 shall be a matter of record and the tax collector shall be notified in
 79 writing of such action.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	12-81(20)

VA *Joint Favorable C/R*

PD

PD *Joint Favorable*

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either House thereof for any purpose:

OFA Fiscal Note

State Impact: None

Municipal Impact: See Below

Explanation

The bill could result in a minimal administrative savings to municipalities associated with eliminating the requirement that certain veterans receiving property tax exemptions provide annual proof of their disability to town assessors.

OLR Bill Analysis**SB 846*****AN ACT CONCERNING THE DISABLED VETERANS' PROPERTY TAX EXEMPTION.*****SUMMARY:**

This bill eliminates the requirement that a veteran under age 65 claiming the veterans' disabled property tax exemption provide annual proof of his or her disability to the town assessor. Under the bill, a veteran who submits initial proof of his or her disability rating, as determined by the federal Veterans' Administration (VA), is required to submit proof and reestablish eligibility in subsequent years only if the VA modifies the rating.

EFFECTIVE DATE: Upon passage

VETERANS' PROPERTY TAX EXEMPTIONS

State law provides a basic \$ 1,000 municipal property tax exemption for qualified veterans. It also provides for an additional mandatory exemption and an additional optional exemption for veterans who qualify for the basic exemption and meet certain income limits. An exemption is a reduction in the property's assessed value on which taxes are owed, not a credit against the amount of the tax. Exemption amounts depend on income, disability, and other factors.

COMMITTEE ACTION

Select Committee on Veterans' Affairs

Joint Favorable Change of Reference
Yea 10 Nay 0 (02/26/2009)

Planning and Development Committee

Joint Favorable

Yea 18 Nay 0 (03/20/2009)