



# Senate

General Assembly

**File No. 241**

January Session, 2013

Substitute Senate Bill No. 70

*Senate, March 28, 2013*

The Committee on Veterans' Affairs reported through SEN. LEONE of the 27th Dist., Chairperson of the Committee on the part of the Senate, that the substitute bill ought to pass.

***AN ACT RESTORING BENEFITS TO VETERANS DISCHARGED UNDER "DON'T ASK, DON'T TELL".***

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

1 Section 1. (NEW) (*Effective October 1, 2013*) (a) For purposes of this  
2 section, "veteran" means any person discharged or released from active  
3 service in the armed forces, as defined in section 27-103 of the general  
4 statutes, regardless of his or her discharge classification.

5 (b) If the federal government acts to reinstate eligibility for benefits  
6 to discharged veterans, regardless of their discharge classification, who  
7 have been or otherwise would be denied such benefits solely on the  
8 basis of sexual orientation pursuant to any current or former federal  
9 policy prohibiting homosexual personnel from serving in the armed  
10 forces, the state shall reinstate eligibility for any state benefits such  
11 veterans were or otherwise would have been denied due to such  
12 federal policy.

13 (c) To the extent practicable, the Department of Veterans' Affairs

14 shall (1) provide information on its Internet web site regarding legal  
 15 services organizations that assist veterans in military discharge  
 16 upgrades, including, but not limited to, links to such organizations'  
 17 Internet web sites, and (2) provide printed resources concerning  
 18 methods for obtaining military discharge upgrades, which are created  
 19 by such legal services organizations, to veterans at the department's  
 20 offices and facilities and disseminate such resources to local veterans'  
 21 advisory committees, as described in section 27-135 of the general  
 22 statutes.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2013	New section

**Statement of Legislative Commissioners:**

In section 1(c)(1), "Internet" was added for purposes of clarity.

**VA**            *Joint Favorable Subst.*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

## **OFA Fiscal Note**

### **State Impact:**

<b>Agency Affected</b>	<b>Fund-Effect</b>	<b>FY 14 \$</b>	<b>FY 15 \$</b>
Department of Veterans' Affairs	GF - Cost	10,000	None
Department of Veterans' Affairs	GF - Potential Cost	See Below	See Below
Soldiers, Sailors & Marines' Fund	GF - Potential Cost	See Below	See Below
Policy & Mgmt., Off.	GF - Potential Cost	See Below	See Below

### **Municipal Impact:**

<b>Municipalities</b>	<b>Effect</b>	<b>FY 14 \$</b>	<b>FY 15 \$</b>
Various Municipalities	STATE MANDATE - Potential Cost	See Below	See Below

### **Explanation**

The bill is anticipated to result in a one-time cost to the Department of Veterans Affairs (DVA) of \$10,000 in FY 14 for production and distribution for pamphlets informing veterans that legal services are available for those veterans who were discharged less than honorably based solely on their sexual orientation and were denied federal benefits. To the extent that a Veteran's federal benefits are reinstated they will then be eligible for state benefits which may result in a potential cost to DVA for admission to the state Veteran's Home, and burial in the state Veterans' cemetery. Veterans may also be eligible for tuition waivers at state public colleges and financial aid from the Soldiers', Sailors' and Marines' Fund.

There is a potential cost to municipalities and the Office of Policy

and Management (OPM) associated with this bill, as state law currently provides two property tax exemptions for veterans; 1) a \$1,000 property tax exemption for certain honorably discharged veterans who actively served at least 90 days during war time, or their survivors and 2) an additional exemption for veterans and disabled veterans who are eligible for the basic exemption and who can meet certain income limits. The Office of Policy and Management reimburses municipalities for lost revenue due to the additional exemption.

Municipalities would incur a cost to the extent that this bill increases the number of veterans who qualify for the basic exemption and for the additional exemption. Costs would vary according to; 1) number of veterans dishonorably discharged under Don't Ask, Don't Tell who then 2) apply for and are deemed eligible for a property tax exemption, and 3) the value of their property.

It is anticipated that municipalities would seek to offset any increase in the cost of the additional exemption through reimbursements from OPM. Accordingly, OPM would see an increase in costs to fulfill those reimbursements.

### ***The Out Years***

The annualized ongoing fiscal impact identified above would continue into the future subject to inflation.

**OLR Bill Analysis****sSB 70*****AN ACT RESTORING BENEFITS TO VETERANS DISCHARGED UNDER "DON'T ASK, DON'T TELL".*****SUMMARY:**

This bill makes veterans eligible for state benefits if:

1. the benefits were previously denied or would be denied due to the veteran's ineligibility for federal benefits;
2. the veteran was denied federal benefits based solely on his or her sexual orientation pursuant to a federal policy prohibiting homosexuals from serving in the armed forces; and
3. the veteran's eligibility for federal benefits has been reinstated.

The bill also requires, to the extent practicable, the Department of Veterans' Affairs to inform veterans of legal services organizations that will help them get military discharge upgrades and reinstated federal benefits. The department should (1) post information on its website, with links to the organizations' websites, (2) distribute the organizations' pamphlets at department offices and facilities and to local veterans' advisory committees. These committees are established by municipalities to coordinate local, state, and federal programs for veterans, including reemployment services, education, vocational training, rehabilitation services, and the provision of veterans' benefits.

EFFECTIVE DATE: October 1, 2013

**DEFINITION OF "VETERAN"**

The bill defines "veteran" as any person discharged or released from active duty in the U.S. Army, Navy, Marine Corps, Coast Guard, Air Force, or any reserve component thereof, including the

Connecticut National Guard, regardless of their discharge classification.

**BACKGROUND**

***Don't Ask, Don't Tell***

From December 21, 1993 until September 20, 2011, the United States prohibited openly homosexual persons from serving in the U.S. armed forces, under a policy called "Don't Ask, Don't Tell", and discharged those who violated the policy less than honorably.

**COMMITTEE ACTION**

Veterans' Affairs Committee

Joint Favorable Substitute

Yea 12 Nay 2 (03/12/2013)