



# Senate

General Assembly

**File No. 227**

January Session, 2019

Senate Bill No. 861

*Senate, March 28, 2019*

The Committee on Veterans' Affairs reported through SEN. MARONEY of the 14th Dist., Chairperson of the Committee on the part of the Senate, that the bill ought to pass.

***AN ACT CONCERNING THE DEFINITION OF "SERVICE IN TIME OF WAR" AND STATE RESIDENCY REQUIREMENTS FOR CERTAIN VETERANS' SERVICES.***

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

1 Section 1. Subsections (a) and (b) of section 27-103 of the general  
2 statutes are repealed and the following is substituted in lieu thereof  
3 (*Effective October 1, 2019*):

4 (a) As used in the general statutes, except chapter 504, and except as  
5 otherwise provided: (1) "Armed forces" means the United States Army,  
6 Navy, Marine Corps, Coast Guard and Air Force and any reserve  
7 component thereof, including the Connecticut National Guard  
8 performing duty as provided in Title 32 of the United States Code, as  
9 amended from time to time; (2) "veteran" means any person honorably  
10 discharged from, or released under honorable conditions from active  
11 service in, the armed forces; (3) "service in time of war" means service  
12 of ninety or more cumulative days [except, if the period of war lasted  
13 less than ninety days, "service in time of war" means service for the

14 entire period of war,] during a period of war unless separated from  
15 service earlier because of an injury incurred or aggravated in the line  
16 of duty or a service-connected disability rated by the United States  
17 Department of Veterans Affairs, [during a period of war] except that if  
18 the period of war lasted less than ninety days, "service in time of war"  
19 means service for the entire such period of war unless separated  
20 because of any such injury or disability; (4) "period of war" has the  
21 same meaning as provided in 38 USC 101, as amended from time to  
22 time, except that the "Vietnam Era" means the period beginning on  
23 February 28, 1961, and ending on July 1, 1975, in all cases; and "period  
24 of war" shall include service while engaged in combat or a combat  
25 support role in Lebanon, July 1, 1958, to November 1, 1958, or  
26 September 29, 1982, to March 30, 1984; Grenada, October 25, 1983, to  
27 December 15, 1983; Operation Earnest Will, involving the escort of  
28 Kuwaiti oil tankers flying the United States flag in the Persian Gulf,  
29 July 24, 1987, to August 1, 1990; and Panama, December 20, 1989, to  
30 January 31, 1990, and shall include service during such periods with  
31 the armed forces of any government associated with the United States;  
32 and (5) "qualifying condition" means a diagnosis of post-traumatic  
33 stress disorder or traumatic brain injury made by, or an experience of  
34 military sexual trauma, as described in 38 USC 1720D, as amended  
35 from time to time, disclosed to, an individual licensed to provide  
36 health care services at a United States Department of Veterans Affairs  
37 facility.

38 (b) As used in this part, "Veterans Residential Services facility"  
39 means the Veterans Residential Services facility in Rocky Hill  
40 maintained by the Department of Veterans Affairs that provides  
41 temporary and other supported residential services for qualifying  
42 veterans; "hospital" means any incorporated hospital or tuberculosis  
43 sanatorium in the state and any state chronic disease hospital, or  
44 hospital for persons with mental illness; "Healthcare Center" means the  
45 hospital in Rocky Hill maintained by the Department of Veterans  
46 Affairs; "veteran" means any veteran, as defined in subsection (a) of  
47 this section, who is a resident of this state; [, provided, if he or she was  
48 not a resident or resident alien of this state at the time of enlistment or

49 induction into the armed forces, he or she shall have resided  
50 continuously in this state for at least two years;] "eligible dependent"  
51 means any parent, wife or husband, or child of a veteran who has no  
52 adequate means of support; and "eligible family member" means any  
53 parent, brother or sister, wife or husband, or child or children under  
54 eighteen years of age, of any veteran whose cooperation in the  
55 program is integral to the treatment of the veteran.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2019</i>	27-103(a) and (b)

**VA**      *Joint Favorable*

*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.*

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**OFA Fiscal Note****State Impact:** None**Municipal Impact:** None**Explanation**

The bill removes a residential requirement for admittance to the Department of Veterans Affairs Residential Services Facility and Healthcare Center and alters the definition of service in time of war which extends veteran wartime service benefits and results in no fiscal impact to the state. Both changes codify current practices.

**The Out Years****State Impact:** None**Municipal Impact:** None

**OLR Bill Analysis****SB 861*****AN ACT CONCERNING THE DEFINITION OF "SERVICE IN TIME OF WAR" AND STATE RESIDENCY REQUIREMENTS FOR CERTAIN VETERANS' SERVICES.*****SUMMARY**

This bill extends certain state war service benefits to veterans who served less than 90 days in a period of war (see BACKGROUND) because they incurred or aggravated an injury in the line of duty that is not a service-connected disability rated by the U.S. Department of Veterans Affairs (U.S. VA).

The bill also removes current law's two-year state residency eligibility requirement for certain state benefits (e.g., hospital care and funeral expenses) for veterans who did not reside in Connecticut at the time of their enlistment or induction into the armed forces.

It also makes technical, minor, and conforming changes.

**INJURY INCURRED OR AGGRAVATED IN THE LINE OF DUTY**

The bill extends certain state war service benefits to veterans who served less than 90 days in a war, but were separated from service because of an injury incurred or aggravated in the line of duty, even if the injury was not a service-connected disability rated by the U.S. VA, as current law requires in such circumstances. For eligible veterans (some benefits also accrue to eligible spouses and dependent children), such benefits include, among other things:

1. certain property tax exemptions (minimum of \$1,500) (CGS §§ 12-81(19) and 12-81g);
2. tuition waivers for the state's public colleges and universities (CGS §§ 10a-77, 10a-99, and 10a-105);

3. civil service exam bonus points (CGS § 5-224);
4. Connecticut Airport Authority set-aside of at least 30% of projects and contracts (CGS § 13b-50b);
5. state employee hazardous duty retirement credit (CGS § 5-173);
6. vesting service for the state employee retirement system (SERS) (CGS § 5-192i);
7. special service credit for SERS (CGS § 5-180);
8. being considered a “veteran” under the state personnel act (CGS § 5-196, et seq.);
9. temporary aid from the Soldiers’, Sailors’ and Marines’ Fund (CGS § 27-138 et seq.);
10. special license plate and parking privileges of disabled veterans (CGS § 14-254);
11. veterans’ service ribbons and medals (CGS § 27-73e); and
12. funeral honor guards (CGS § 27-76).

Presumably, such veterans are already eligible for benefits that require wartime service but do not specify service days (e.g., honorary high school diploma (CGS § 10-221a(i)) and temporary assistance from the Veterans Affairs commissioner (CGS § 27-125)).

### **REMOVAL OF THE TWO-YEAR RESIDENCY REQUIREMENT**

The bill removes current law’s two-year state residency requirement for veterans who were not Connecticut residents at the time of enlistment or induction into the armed forces for eligibility for certain benefits, including, among other things:

1. admission into any hospital, upon the Veterans Affairs commissioner’s request, at the state’s expense unless other means of payment are available (CGS § 27-109);
2. admission to the veterans residential services facility or healthcare center (CGS § 27-108);

3. \$1,800 toward funeral expenses or cremation for certain indigent veterans (CGS § 27-118);
4. cost of transportation and erection or installation of a grave headstone (CGS § 27-119); and
5. temporary assistance (CGS § 27-125).

## BACKGROUND

### *War Time Service*

Table 1 summarizes the dates and service conditions that constitute “service in time of war” for purposes of state veterans’ benefits.

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

<b>Operation</b>	<b>Period of War</b>	<b>Service Condition</b>
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 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

## COMMITTEE ACTION

Veterans' Affairs Committee

Joint Favorable

Yea 16 Nay 0 (03/12/2019)