

## Benefits for Veterans' Surviving Spouses

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### Issue

This report summarizes the primary benefits the state provides for veterans' surviving spouses. This report updates OLR Report [2019-R-0167](#).

### Summary

By law, qualifying surviving spouses of deceased veterans are entitled to certain benefits, including property tax exemptions, state college and university tuition assistance, and state employment exam credits. Municipalities and the state may choose to provide surviving spouses other benefits, such as additional property tax exemptions and temporary financial support, respectively.

A surviving spouse's eligibility for a benefit is largely dependent on whether his or her deceased veteran spouse was entitled to it. He or she is generally entitled to keep benefits to which the veteran was entitled. But if a surviving spouse remarries, he or she is generally no longer eligible for them.

OLR Report [2020-R-0205](#) provides additional information on state-mandated and municipal option property tax exemptions for veterans.

#### **“Veteran”**

*The law generally defines a veteran as an individual honorably discharged or released under honorable conditions from active service in the armed forces ([CGS § 27-103\(a\)\(2\)](#)).*

*The law also extends certain veterans' benefits to individuals 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) ([CGS § 27-103\(a\)\(5\)](#)).*

The Connecticut Department of Veterans Affairs' (DVA) Office of Advocacy and Assistance provides assistance to any veteran, his or her spouse, and eligible dependents ([CGS § 27-102l](#)). For more information about benefits and services for veterans' spouses, a spouse may contact the advocacy office at 1-866-928-8387 (1-866-9CT-VETS) or visit the DVA's [website](#).

***“Member of the Armed Forces”***

*By law, members of the armed forces include members of the U.S. Army, Navy, Marine Corps, Coast Guard, Air Force, any reserve component of these branches, and the Connecticut National Guard under Federal service ([CGS § 27-103\(a\)\(1\)](#)).*

## **Property Tax Exemptions**

A surviving spouse is generally entitled to any veteran-related property tax exemption to which his or her veteran spouse was entitled, and in at least the same amount. The law requires municipalities to provide exemptions to veterans, and by extension the surviving spouses of veterans, who have qualifying (1) service, such as 30 years of service or wartime service, (2) disabilities, or (3) conditions. It also requires municipalities provide an exemption to surviving spouses who receive federal compensation. A municipality, with its legislative body's approval, may opt to provide certain additional exemptions to filers entitled to a state-mandated exemption.

State law generally precludes individuals from receiving more than one veteran-based property tax exemption. But a surviving spouse who is also a veteran and independently qualifies for a veteran-based exemption may receive it in addition to any he or she is entitled to as a surviving spouse ([CGS § 12-90\(b\)](#)). Veterans and surviving spouses do not automatically receive the exemptions to which they are entitled and must meet municipal assessor filing requirements to receive them.

Following revaluations, municipalities must increase exemption amounts to reflect increases in a town's taxable grand list ([CGS § 12-62g](#)). Additionally, certain exemptions are only available to filers with incomes below certain limits; these limits must be adjusted annually to reflect any Social Security Administration cost-of-living calculation changes ([CGS §§ 12-81l](#) & [12-170aa\(b\)\(2\)](#)).

OLR Report [2020-R-0205](#) provides additional information on periodic adjustments as well as state-mandated and municipal option exemptions. Additionally, the Office of Policy Management's [2020 Question and Answer Booklet](#) provides information on tax relief programs.

## ***Exemptions Based on Service***

### *Eligibility*

By law, municipalities must provide property tax exemptions to veterans, and by extension such veterans' surviving spouses, who:

1. retired after 30 years of service due to reaching the legal age limit or suffering from mental or physical disabilities; or
2. served for at least 90 days (cumulative) in the U.S. Armed Forces, or certain governments associated with the U.S., during specified wartime periods and actions (see Table 1 below) ([CGS § 12-81\(19\)\(A\) & \(F\)](#)).

World War II veterans with certain Merchant Marine service, or their surviving spouses, are also eligible ([CGS § 12-81\(19\)\(D\)](#)). Veterans who do not meet the 90-day wartime service requirement may still be eligible under certain circumstances, such as if he or she was discharged (1) because of a U.S. Veterans Affairs VA-rated, service connected disability or (2) under conditions other than dishonorable or for bad conduct after wartime service and has a "qualifying condition" such as a diagnosis of post-traumatic stress disorder (see below) ([CGS § 27-103](#), amended by [PA 19-33](#)).

### *Surviving Spouse's Exemption Amount*

If his or her veteran spouse qualified for the wartime or service-based exemption, a surviving spouse is entitled to:

1. a "basic exemption" of \$1,000 (or \$3,000 if the veteran's death was service-related and occurred while on active duty or the surviving spouse receives VA compensation) ([CGS § 12-81\(22\)\(A\) & \(24\)](#)); plus
2. an "income-based exemption" equal to two-times the basic exemption if the surviving spouse's income is at or below a statutorily-set threshold, or 50% of the basic exemption if his or her income is above the threshold ([CGS § 12-81g\(a\) & \(d\)](#)). (The 2020 income limit, based on a surviving spouse's 2019 qualifying income, is \$37,000).

## ***Exemptions Based on Disabilities***

### *Eligibility*

Municipalities must exempt from taxation a certain amount of property belonging to a veteran, or the veteran's surviving spouse, if he or she has a qualifying disability. A veteran has a qualifying disability if he or she (1) has a VA disability rating of at least 10% or (2) receives compensation (e.g., a pension or annuity) from the United States for a service-related loss of an arm, leg, or the equivalent ([CGS § 12-81\(20\)](#)).

### *Surviving Spouse's Exemption Amount*

If his or her veteran spouse qualified for the disability-based exemption, a surviving spouse is entitled to:

1. a "basic exemption" of between \$2,000 and \$3,500 ([CGS § 12-81\(20\)](#)) as amended by [PA 19-171](#));
2. an "income-based exemption" equal to two times the basic exemption if the surviving spouse's income is below a certain threshold (for 2020, \$37,000 or less or if the veteran had a 100% disability rating, \$18,000), or 50% of the basic exemption for those with incomes above the threshold ([CGS § 12-81g\(a\) & \(d\)](#)); and
3. a "severe service-related disability exemption" of \$10,000 if the veteran also suffered specified injuries (e.g., total blindness, amputation of both arms or legs, or permanent paralysis) during enemy action or active service due to an accident or disease; the exemption is \$5,000 if he or she lost the use of one arm or leg ([CGS § 12-81\(21\)](#)).

The minimum basic exemption amount is \$2,000 for individuals with a qualifying disability rating (between 10% and 25%); the exemption amount increases with one's disability rating, to a maximum of \$3,500 (for those with at least a 76% rating). All individuals aged 65 and older with a qualifying disability rating are eligible for the maximum amount. Individuals who qualify on the basis of their U.S. compensation due to the in-service loss of a leg or an arm are entitled to a basic exemption amount up to \$3,500 ([CGS § 12-81\(20\)](#)).

### *Exemptions Based on Qualifying Conditions*

Surviving spouses of veterans who had a qualifying condition and died after receiving a discharge other than dishonorable or for bad conduct are entitled to a \$1,000 exemption ([CGS § 12-81\(22\)\(B\)](#)). Qualifying conditions include a diagnosis of post-traumatic stress disorder or traumatic brain injury, or a disclosed military sexual trauma experience ([CGS § 27-103](#), amended by [PA 19-33](#)).

### *Exemptions for Spouses Receiving Federal Benefits*

Surviving spouses who receive or received a pension, annuity, or compensation from the United States are entitled to a \$1,000 exemption ([CGS § 12-81\(23\)](#)). If the compensation is from the VA, the amount is \$3,000 ([CGS § 12-81\(24\)](#)).

## **College Tuition Waiver**

By law, certain surviving spouses of veterans who were killed in action while on active-duty in the U.S. Armed Forces on or after September 11, 2001, are entitled to a tuition waiver at UConn, the

Connecticut State University System, and the regional community-technical colleges ([CGS §§ 10a-77\(d\)](#), [-99\(d\)](#), and [-105\(e\)](#)). The waiver covers the cost of tuition for credit-bearing undergraduate and graduate programs but not other charges, such as student activity fees or room and board.

## State Employment Exam Credit

Surviving spouses of wartime veterans must receive exam credit on classified competitive state employment exams. He or she must first achieve a passing grade on the exam then receive an additional:

1. 10 points if the veteran is eligible for or receiving VA disability compensation or pension or
2. five points if the veteran is not eligible for VA compensation or pension ([CGS § 5-224](#)).

## Other Benefits for Surviving Spouses

Table 1 provides a brief description of additional benefits available under Connecticut law for the surviving spouse of a veteran.

**Table 1: Other Benefits for the Surviving Spouse of a Veteran**

<i>Benefit</i>	<i>Statute</i>
The law waives the \$20 fee for one certified copy of a veteran's death certificate when the deceased veteran's spouse requests a copy.	<a href="#">CGS § 7-74</a>
The surviving spouse may retain veteran license plates. A surviving spouse may also retain a Prisoner of War or Medal of Honor license plate without charge for his or her lifetime or until remarried.	<a href="#">CGS §§ 14-20b &amp; 14-21d</a>
The motor vehicles commissioner must issue a special registration certificate and a set of number plates to veterans 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.	<a href="#">CGS § 14-20b</a>
The surviving spouse of a disabled veteran issued special registration for special parking privileges may retain the registration and license plate without charge for his or her lifetime or until remarried.	<a href="#">CGS § 14-254</a>
The DVA, among other things, must cooperate with service agencies and organizations throughout the state in disseminating and furnishing counsel and benefits assistance to resident spouses of veterans.	<a href="#">CGS § 27-102l</a>
A veteran's spouse is eligible to be buried in the state veterans' cemetery.	<a href="#">CGS § 27-122b</a>

**Table 1 (continued)**

<i>Benefit</i>	<i>Statute</i>
<p>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 surviving spouse of any veteran who died as a result of such service if the spouse cannot support him or herself because of the veteran's death.</p>	<p><a href="#">CGS § 27-125</a></p>
<p>The surviving spouse of wartime veterans may be eligible for emergency assistance from the Soldiers', Sailors' and Marines' Fund (SSMF). SSMF is a state fund administered by the American Legion to provide temporary financial assistance for emergency needs such as clothing, food, medical and surgical aid, and general care and relief.</p>	<p><a href="#">CGS § 27-138 et seq.</a></p>
<p>A surviving spouse's federal Aid and Attendance pension benefits may not be considered income in determining eligibility for certain state-administered general assistance programs, Medicare savings programs, and fuel and assistance weatherization assistance.</p>	<p><a href="#">CGS §§ 17b-191, 17b-256f &amp; 17b-801</a></p>

# Attachment 1

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

## Attachment 1: Post-1940 "Service in Time of War"

<i>Operation</i>	<i>Date</i>	<i>Service Condition</i>
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

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