

Veterans' Property Tax Exemptions

By: Jessica Schaeffer-Helmecki, Associate Legislative Attorney October 6, 2023 | 2023-R-0175

Issue

Provide an overview of Connecticut's veterans' property tax exemptions. This report updates OLR Report <u>2022-R-0219</u>.

Summary

By law, municipalities must provide property tax exemptions to three categories of veterans. They must provide these exemptions (commonly referred to as "state-mandated exemptions") to veterans who:

- served during specified wartime periods or actions (CGS § 12-81(19)),
- retired from service after 30 years (<u>CGS § 12-81(19)</u>), or
- have qualifying disabilities (<u>CGS § 12-81(20) & (21)</u>).

With their legislative bodies' approval, municipalities may grant certain additional exemptions (commonly referred to as "municipal-option exemptions") to veterans, including those who do not qualify for the state-mandated exemptions. (Exemptions are a reduction in a property's assessed value on which taxes are owed; they are not credits against the total amount owed.)

Definition of Veteran

For property tax exemption purposes, a veteran is anyone discharged or released from active service in the U.S. Armed Forces honorably, under honorable conditions, or with an other than honorable (OTH) discharge based on a qualifying condition (i.e., diagnosis of posttraumatic stress disorder or traumatic brain injury, disclosed military sexual trauma, or determination that sexual orientation or gender identity or expression was more likely than not the primary reason for the OTH discharge) (CGS § 27-103, as amended by PA 23-71).

Neither the state-mandated nor municipal-option exemptions are automatic. By law, a claimant must apply for the exemption and provide proof of eligibility to the municipality in which he or she is claiming it. Once granted, the exemptions may apply against the assessed value of real or personal property (except the severe service-related disability exemption which, as described below, applies only to certain real property). Generally, individuals may not claim eligibility for more than one exemption (CGS § 12-90).

An individual's eligibility for an exemption is often contingent on the veteran's qualifying factors (e.g., if he or she has qualifying wartime service or disabilities) and income-level. With certain exceptions, exemptions that are based on a veteran's income level use a statutorily-set threshold that the Office of Policy and Management (OPM) annually updates to reflect the Social Security Administration's cost-of-living adjustments (<u>CGS § 12-</u> <u>811</u>). OPM's <u>Question and Answer Booklet for Tax Relief Programs</u> provides additional information.

OPM — Set Income Threshold

For 2023, the income thresholds are based on 2022 income and as follows:

- \$40,300 for individuals
- \$49,100 for married with joint income

The exemption amounts in this report reflect the amounts set in statute. The law requires municipalities to increase these amounts if a revaluation results in a grand list increase of a certain amount (see *Increase in Exemption Amounts After a Revaluation* section below) (<u>CGS § 12-62g</u>). Thus, the actual exemption amounts may be higher than those stated in this report, and individuals should contact their town assessor to determine the town-specific exemption amounts.

A veteran's unmarried surviving spouse is generally entitled to any exemption to which the veteran would be entitled and may be independently entitled to additional exemptions. A deceased veteran's children and surviving parents may receive certain benefits, as well (see, e.g., <u>CGS § 12-81(22)-(26)</u>).

Additionally, OLR Report <u>2022-R-0186</u> provides an overview of all the state benefits that are available to eligible veterans. 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: <u>https://portal.ct.gov/dva</u>.

Table of Contents

| Exemption for Wartime Service | 4 |
|--------------------------------------------------------------|----|
| Eligibility | 4 |
| State-Mandated Exemption | 5 |
| Municipal-Option Exemption | 5 |
| Exemption for 30-Year Retirees | 6 |
| Eligibility | 6 |
| State-Mandated Exemption | 6 |
| Municipal-Option Exemption | 6 |
| Exemptions for Veterans With Disabilities | |
| Eligibility | 7 |
| State-Mandated Exemption Amount | 7 |
| Municipal-Option Exemptions | 9 |
| Other Municipal-Option Exemptions1 | 0 |
| Veterans Ineligible for State Mandated Exemptions1 | .0 |
| Veterans' Primary Residences1 | 0. |
| Increase in Exemption Amounts After a Revaluation1 | 0 |
| Attachment 1: Overview of Veterans' Property Tax Exemptions1 | |

Exemption for Wartime Service

Eligibility

Municipalities must provide a property tax exemption for veterans who:

- are residents of the state and
- served for at least 90 days during specified wartime periods and actions (see Table 1 below) in the U.S. Armed Forces, or certain governments associated with the United States.

A veteran who served less than 90 days due to either (1) an injury incurred or aggravated in the line of duty or (2) a service-connected, U.S. Department of Veterans Affairs-rated disability is still eligible for the exemption ($CGS \ \ 27-103$, as amended by $PA \ 23-71$). Members currently serving in a time of war and World War II veterans with certain Merchant Marine service are also eligible ($CGS \ \ 21-81(19)(A)-(D)$).

| Operation | Covered Period | Service Condition |
|---------------------------------------------------------------------------------------------------------|--------------------------------------------------------|--------------------------------------------------------------------------|
| World War II | 12/7/41-12/31/46* | Active service during the covered period |
| Korean conflict | 6/27/50 - 1/31/55 | Active service during the covered period |
| Lebanon conflict | 7/1/58 — 11/1/58 or 9/29/82 — 3/30/84 | Combat or combat-support role in Lebanon during the covered periods |
| Vietnam era | 2/28/61-7/1/75 | Active service during the covered period |
| Grenada invasion | 10/25/83 — 12/15/83 | Combat or combat-support role in Grenada during the covered period |
| Operation Earnest Will (escort of Kuwaiti tankers flying U.S. flag in the Persian Gulf) | 7/24/87 — 8/1/90 | Combat or combat-support role in the operation during the covered period |
| Panama invasion | 12/20/89 — 1/31/90 | Combat or combat-support role in the invasion during the covered period |
| Persian Gulf War | 8/2/90 until a date prescribed by the President or law | Active service during the covered period |
| Afghanistan | 10/24/01-8/30/21 | Active service during the covered period |
| Iraq | 3/19/03 - 12/31/11 or 6/1/2014 - 12/9/21 | Active service during the covered period |

Table 1: Post-1940 Wartime Periods

*For the property tax exemption under CGS § 12-81(19), the ending date is 12/31/47 (CGS § 12-86) Sources: 38 U.S.C. § 101; CGS § 27-103, as amended by PA 23-71

State-Mandated Exemption

By law, municipalities must provide at least \$1,500 in property tax exemptions for veterans with wartime service. The exemption amount consists of two parts:

- 1. a "basic" exemption of \$1,000 (<u>CGS § 12-81(19)</u>), which must be increased after certain revaluations (see Increase in Exemption Amounts After a Revaluation below), and
- 2. an income-based exemption equal to:
 - 50% of the basic exemption if the veteran's income exceeds the OPM-set income threshold (see Summary) or
 - twice the basic exemption if the veteran's income is at or below the threshold (<u>CGS §</u> <u>12-81g(a) & (d)</u>).

Municipal-Option Exemption

Municipalities may provide an additional property tax exemption to wartime veterans who qualify for the state-mandated one described above. Municipalities may exempt up to \$20,000 or 10% of a property's assessed value for veterans whose incomes are below a set threshold. Municipalities set the income threshold, which must be equal to or greater than the OPM-set one (see Summary) (CGS § 12-81f(a)).

Municipalities that provide this exemption must increase the exemption amount after certain revaluations (see Increase in Exemption Amounts After a Revaluation below).

Exemption for 30-Year Retirees

Eligibility

Municipalities must provide a property tax exemption to veterans who retired from the U.S. Armed Forces after 30 years of service because they (1) reached the law's prescribed age limit or (2) suffered from a mental or physical disability (<u>CGS § 12-81(19)(G)</u>).

State-Mandated Exemption

The exemption for eligible retired veterans consists of two parts:

- 1. a "basic exemption" of \$1,000, which must be increased after certain revaluations (see Increase in Exemption Amounts After a Revaluation below) (<u>CGS § 12-81(19)</u>) and
- 2. an "income-based exemption" equal to:
 - 50% of the basic exemption if the veteran's income exceeds the OPM-set income threshold (see Summary) or
 - twice the basic exemption if the veteran's income is at or below the threshold (<u>CGS §</u> <u>12-81g(a) & (d)</u>).

Municipal-Option Exemption

In addition to the exemption municipalities must provide to qualifying retirees, municipalities may also, with their legislative body's approval, provide these retirees who have incomes below a certain threshold an additional exemption of up to \$20,000 or up to 10% of their property's assessed value. Municipalities set the income threshold, which must be equal to or greater than the OPM-set one (see Summary) (<u>CGS § 12-81f(a)</u>).

Municipalities that provide this exemption must increase the exemption amount following certain revaluations (see Increase in Exemption Amounts After a Revaluation below).

Exemptions for Veterans With Disabilities

Eligibility

Veterans (and service members) with certain disabilities who reside in-state are entitled to a property tax exemption, the amount of which depends on the severity and nature of the disability and the veteran's income level. Wartime service is not necessary to qualify. Municipalities must provide an exemption to veterans who:

- have a VA disability rating of 10% or more (CGS § 12-81(20)); or
- receive a pension, annuity, or compensation from the United States due to the servicerelated loss of their arm, leg, or equivalent ("federal compensation") (<u>CGS § 12-81(20)</u>).

In addition to the state-mandated exemptions, municipalities may adopt certain additional exemptions as described below.

State-Mandated Exemption Amount

The state-mandated exemption for veterans with disabilities consists of:

- 1. an amount based on the veteran's disability rating or federal compensation,
- 2. an additional severe-service related disability amount, if applicable (e.g., for loss of one or both arms or legs), plus
- 3. an income-based exemption.

Disability Rating- or Federal Compensation-Based Amount

Veterans with a U.S. <u>Veterans Affairs disability rating</u> of at least 10% are eligible for a statemandated exemption ranging from \$2,000 to \$3,500 (or higher amounts based on certain revaluations; see Increase in Exemption Amounts After a Revaluation below).

As Table 2 below shows, the exemption amount increases with the disability rating. Upon reaching the age of 65, a qualifying veteran's exemption automatically increases to at least \$3,500 as of the following October 1 ($CGS \ \S \ 12-81(20)$).

| Disability Rating | Exemption Amount* |
|----------------------------------|-------------------|
| 10%-25% | \$2,000 |
| 26%-50% | \$2,500 |
| 51%-75% | \$3,000 |
| 76%-100% | \$3,500 |
| At least 10% and age 65 or older | \$3,500 |

Table 2: Disability-Based Exemption Amounts forVeterans With Disability Ratings

Veterans who receive federal compensation, such as a pension or annuity due to the servicerelated loss of a leg or arm (or its equivalent, as determined by the U.S. Pension Office or the Bureau of War Risk Insurance) are also eligible for a disability-based exemption of up to \$3,500 (CGS § 12-81(20)).

Additional Severe Service-Related Disability Amount

Veterans who qualify for either of the above-described amounts based on a disability rating or federal compensation and reside in-state may qualify for an additional exemption of at least \$5,000 for the loss of the use of an arm or a leg or at least \$10,000 for:

- 1. permanent loss of use of both legs or permanent paralysis of both legs and lower parts of the body;
- 2. permanent paralysis of one leg and one arm on either side of the body resulting from injury to the spinal cord, skeletal structure, or brain or from spinal cord disease;
- 3. the amputation of both arms, legs, hands, or feet or a combination of a hand and a foot; or
- 4. total blindness.

Municipalities must increase these exemption amounts following certain revaluations (see Increase in Exemption Amounts After a Revaluation below).

If a veteran has one of these injuries but it was caused by certain forms of syphilis, chronic alcoholism, or disease resulting from the veteran's own conduct, the injury does not qualify him or her for this additional exemption amount. Unlike most of the other exemptions, this exemption can be applied only to the veteran's residence (i.e., dwelling and lot). If the residence is not a single-family home, the exemption may be applied only to the part the veteran occupies. In the case of a married couple, either spouse may own or be the beneficiary of a trust with respect to the property. But the property must be the veteran's domicile or permanent residence ($CGS \ \ 12-81(21)$).

Income-Based Amount

The income-based amount is in addition to the disability-based amount and any severe servicerelated amount a veteran receives. It is equal to:

- 50% of the basic exemption (i.e., the disability rating or federal compensation-based amount plus the severe-service disability amount, if any) if the veteran's income exceeds a set income threshold or
- twice the basic exemption if the veteran's income is at or below the threshold (<u>CGS § 12-81g(a) & (d)</u>).

For 100% disabled veterans, the income threshold is \$18,000 for unmarried veterans and \$21,000 for married veterans. For all other qualifying veterans, the income threshold is the higher, OPM-set amount (see Summary above) (CGS § 12-81g(a) & (d)).

Municipal-Option Exemptions

100% Disabled Veterans

In lieu of the income-based amount described above, a municipality may, with its legislative body's approval, provide 100% disabled veterans who have limited incomes an increased amount, equal to three times the disability-rating based amount under <u>CGS § 12-81(20)</u>. The income threshold for this optional exemption is \$21,000, for unmarried individuals and \$24,000, if married (<u>CGS § 12-81(20)</u>. <u>81g(a) & (b)</u>).

Veterans With a Disability Rating or Federal Compensation

Municipalities may provide an additional property tax exemption to veterans who have a disability rating or receive federal compensation and have incomes below a municipally set threshold. The municipality may use the OPM-set threshold (see Summary) or set a higher one. If the municipality chooses to provide this exemption, the exemption must be at least \$3,000 and increased following certain revaluations (see Increase in Exemption Amounts After a Revaluation below) (CGS § 12-81f(b)).

Specially Equipped Motor Vehicle

The law allows a municipality to grant a property tax exemption (a uniform percentage of the assessed value) for one motor vehicle owned by a veteran who qualifies for an exemption based on his or her disability rating, compensation, or severe service-related disability, under $\underline{CGS \ \$ \ 12-81(20)}$ or $\underline{CGS \ \$ \ 12-81(21)}$. To qualify, the vehicle must be specially equipped to accommodate the veteran's disability ($\underline{CGS \ \$ \ 12-81h}$).

Specially Adapted House

The law also allows municipalities to completely exempt from property taxes a veteran's house and house lot acquired or modified under a federal financial aid program for specially adapted housing for veterans. (A specially adapted home is one outfitted to be suitable for someone who lost his or her limbs or eyesight.) This exemption is only available to individuals with a severe service-related disability (CGS § 12-81(21)(C)).

Other Municipal Option Exemptions

Veterans Ineligible for State Mandated Exemptions

By law, municipalities, with their legislative body's approval, may provide a property tax exemption to veterans who have incomes below a municipally set threshold and are ineligible for any of the exemptions for wartime, retired, or disabled veterans. Under this program, a municipality may exempt up to \$5,000 or 5% of a property's assessed value. The municipality may set the qualifying income threshold at the OPM-set amount (see Summary) or a higher amount (<u>CGS § 12-81ji</u>).

Veterans' Primary Residences

Beginning in 2022, the law allows municipalities, by a vote of their legislative body (or board of selectman if the legislative body is a town meeting), to establish an exemption for income-qualifying veterans' primary residences. The exemption (1) is available to veterans with up to \$50,100 in federal adjusted gross income and (2) equals 10% of the assessed value of a dwelling the veteran owns and uses as his or her primary residence (CGS § 12-81kk).

This exemption is not subject to the law limiting the number of veterans' exemptions and individual may claim (<u>CGS § 12-90</u>).

Increase in Exemption Amounts After a Revaluation

Municipalities must increase certain exemptions if, after performing a revaluation, their grand list increases by a certain amount. (A revaluation is the process used to periodically capture changes in real property values.) For example, $\underline{CGS \ \S \ 12-81(19)}$ states that the basic wartime service exemption amount is \$1,000. However, due to this post-revaluation requirement, the exemption amount is higher in more than half of the municipalities, according to the Connecticut Association of Assessing Officers handbook.

Veteran exemptions eligible for the increase include the:

- 1. basic exemption for wartime veterans, retirees, and others under <u>CGS § 12-81(19)</u>;
- 2. municipal-option exemption for wartime veterans, retirees, and others under CGS § 12-81f;
- 3. disability-based exemptions (i.e., for qualifying disability ratings and those receiving U.S. compensation) under $CGS \le 12-81(20)$; and
- 4. severe, service-related disability exemption under <u>CGS § 12-81(21)</u>.

Increases to these exemptions may result in increases to other exemptions that are based on these amounts (e.g., the income-based exemptions, which are a percentage of the adjustable exemptions listed above).

To determine the amount of any increase, a municipality must calculate its "increase factor." The increase factor is calculated by dividing the municipality's net taxable grand list for that (post-revaluation) year by its net taxable grand list for the prior (pre-revaluation) year, then rounding the result to the nearest whole number (as a result, only increase factors of 1.5 or higher trigger an increase in the exemption amounts). The covered exemption amounts must be multiplied by this same factor. The increased exemption applies until the next triggering revaluation and is cumulative (CGS § 12-62g).

Attachment 1: Overview of Veterans' Property Tax Exemptions

| Eligibility Category | CGS § | Exemption Type | Requirements and Criteria | Exemption Amount |
|---------------------------------------------------------|----------------------------|--------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------|
| Wartime veterans and 30-year retirees | <u>12-81(19)</u> | Mandatory, basic exemption | Veteran must meet the definition of a wartime veteran or 30-year retiree | \$1,000 (or more if increased due to revaluation) |
| | <u>12-81g(a) & (d)</u> | Mandatory, income-based | Veteran must qualify for the exemption under § 12-81(19); exemption amount depends on whether the veteran's income is above or below the OPM-set income threshold | Twice the basic exemption if income is at or below the threshold; 50% if income exceeds it |
| | <u>12-81f(a)</u> | Municipal option, income-based | Veteran must qualify for the exemption under § 12-81(19) and have an income below the municipally set threshold; minimum threshold is the OPM- set income threshold | Up to \$20,000 or 10% of assessed value (or more if increased due to revaluation) |
| | <u>12-81(20)</u> | Mandatory, basic exemption | Veteran must have a disability rating of at least 10% | Between \$2,000- \$3,500, depending on disability rating and age (or more if increased due to revaluation) (see Table 2) |
| Veterans with a disability rating of at least 10% | <u>12-81g(a) & (d)</u> | Mandatory, income-based | Veteran must qualify for the exemption under § 12-81(20); exemption amount depends on whether a veteran's income is above or below the income threshold, which varies depending on the individual's disability rating: | Twice the basic exemption for those with incomes at or below the applicable threshold; 50% if income exceeds it |
| | | | • For a 100% disability rating, the threshold is \$18,000 for individuals and \$21,000 for joint filers | |
| | | | • For a disability rating above 10% and less than 100%, the threshold is the OPM-set income threshold | |

State-Mandated and Municipal-Option Property Tax Exemptions for Veterans

State-Mandated and Municipal-Option Property Tax Exemptions for Veterans (continued)

| Eligibility Category | CGS § | Exemption Type | Requirements and Criteria | Exemption Amount |
|-----------------------------------------------------------------------------------------------------------|----------------------------|--------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------|
| Veterans with a disability rating of at least 10% (continued) | <u>12-81f(b)</u> | Municipal option, income-based | Veteran must qualify for the exemption under § 12-81(20) and have an income at or below the municipally set threshold; minimum threshold is the OPM- set income threshold | At least \$3,000 (set by municipality) |
| | <u>12-81g(b)</u> | Municipal option, income-based | Veteran must qualify for the exemption under § 12-81(20) and have a 100% disability rating and qualifying income below \$18,000 for individuals and \$24,000 for joint filers | Three times the basic exemption (in lieu of the mandatory, income- based exemption) |
| | <u>12-81h</u> | Municipal option | Veteran must qualify for the exemption under § 12-81(20) and own a specially equipped motor vehicle adapted to the veteran's disability | Municipally set percentage of one specially equipped motor vehicle's assessed value |
| Veterans receiving compensation due to service- related loss of arm, leg, or equivalent | <u>12-81(20)</u> | Mandatory, basic exemption | Veteran must receive qualifying compensation | Up to \$3,500 |
| | <u>12-81g(a) & (d)</u> | Mandatory, income-based | Veteran must qualify for the exemption under § 12-81(20); exemption amount depends on whether the veteran's income is above or below the OPM-set income threshold | Twice the basic exemption if income is at or below the threshold; 50% if income exceeds it |
| | <u>12-81f(b)</u> | Municipal option, income-based | Veteran must qualify for the exemption under § 12-81(20) and have an income below municipally-set threshold; minimum threshold is the OPM- set income threshold | At least \$3,000 (set by municipality) |
| | <u>12-81h</u> | Municipal option | Veteran must qualify for the exemption under § 12-81(20) and own a specially equipped motor vehicle adapted to the veteran's disability | Municipally-set percentage of one specially equipped motor vehicle's assessed value |

State-Mandated and Municipal-Option Property Tax Exemptions for Veterans (continued)

| Eligibility Category | CGS § | Exemption Type | Requirements and Criteria | Exemption Amount |
|------------------------------------------------------------------------------------------------------|----------------------------|--------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------|
| Veterans with a | <u>12-81(21)(A)</u> | Mandatory exemption | Veteran must be a U.S. citizen and have an eligible severe service-related disability and qualify under § 12-81(20) | \$10,000 (or \$5,000 if the veteran lost the use of one arm or leg) |
| severe service- related disability | <u>12-81g(a) & (d)</u> | Mandatory, income-based | Veteran must qualify for the exemption under § 12-81(20) and (21); exemption amount depends on whether the veteran's income is above or below the OPM-set income threshold | Twice the basic exemption if income is at or below the threshold; 50% if income exceeds it |
| | <u>12-81(21)(C)</u> | Municipal option | Veteran must have acquired or modified his or her house with aid from certain federal financial programs for specially adapted veteran housing | Value of the house and lot |
| | <u>12-81h</u> | Municipal option | Veteran must qualify for the exemption under § 12-81(20) and (21) and own a specially equipped motor vehicle adapted to the veteran's disability | Municipally-set percentage of one specially equipped motor vehicle's assessed value |
| Certain veterans who do not qualify for other exemptions | <u>12-81ji</u> | Municipal option, income-based | Veteran must have income below municipally-set threshold; minimum threshold is the OPM- set income threshold | Up to \$5,000 or up to 5% of the property's assessed value |
| (i.e., no qualifying wartime service or retirement, disabilities, or disability ratings) | | | | |
| Veterans with incomes at or below \$50,100 | <u>12-81kk</u> | Municipal option, income-based | Veteran must have income at or below \$50,100 | 10% of assessed value of a veteran's primary residence he or she owns |

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