

General Assembly

Raised Bill No. 1276

January Session, 2025

Referred to Committee on VETERANS' AND MILITARY AFFAIRS

Introduced by: (VA)

AN ACT CONCERNING A PROPERTY TAX EXEMPTION FOR VETERANS WHO ARE PERMANENTLY AND TOTALLY DISABLED BASED ON A DISABILITY RATING OF ONE HUNDRED PER CENT AND A PROPERTY TAX EXEMPTION FOR GOLD STAR SPOUSES.

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

Section 1. (*Effective from passage*) In each town in which the grand list
for the assessment year commencing October 1, 2024, has been
published and lodged for public inspection on or before the effective
date of this section:

5 (1) Notwithstanding the provisions of section 12-55 of the general 6 statutes, such town's assessor or board of assessors may disregard, 7 adjust and republish said grand list not later than thirty days after the 8 effective date of this section;

9 (2) Notwithstanding the provisions of subsection (b) of section 12-110 10 of the general statutes, such town's board of assessment appeals shall 11 meet to hear appeals related to the assessment of property during the 12 period commencing sixty days after the effective date of this section and concluding ninety days after the effective date of this section, onbusiness days as described in said subsection;

(3) Notwithstanding the provisions of subdivision (1) of subsection
(a) of section 12-111 of the general statutes and section 12-112 of the
general statutes, appeals from the doings of such town's assessors shall
be heard or entertained by such town's board of assessment appeals if
such appeal is made on or before the fifteenth day after the effective date
of this section; and

(4) Notwithstanding the provisions of subdivisions (1) and (2) of
subsection (a) of section 12-111 of the general statutes, such town's board
of assessment appeals shall notify each taxpayer who filed an appeal,
whether to advise of the date, time and place of the appeal hearing or to
advise that such board has elected not to conduct an appeal hearing, not
later than sixty days after the effective date of this section.

Sec. 2. Subdivision (83) of section 12-81 of the general statutes is
repealed and the following is substituted in lieu thereof (*Effective from passage and applicable to assessment years commencing on or after October 1,*2024):

31 (83) (A) (i) [A] That portion of a dwelling, including a condominium, 32 as defined in section 47-68a, [and] a unit in a common interest 33 community, as defined in section 47-202, [that is (I) owned by] and a 34 mobile manufactured home, as defined in section 12-63a, and the lot 35 upon which such dwelling sits, not to exceed two acres thereof, that (I) 36 belongs to, or is held in trust for, any resident of this state who has 37 served in the Army, Navy, Marine Corps, Coast Guard, Air Force or 38 Space Force of the United States, [and] has been determined by the 39 United States Department of Veterans Affairs to be permanently and 40 totally disabled based on a service-connected [permanent and total] 41 disability rating [as determined by the United States Department of 42 Veterans Affairs] of one hundred per cent and, if such individual died 43 on or after October 1, 2023, but prior to October 1, 2024, was a resident

of this state at the time of such individual's death, and (II) is occupied by such resident as the resident's primary residence, or (ii) lacking such residence, one motor vehicle [owned by] that belongs to, or is held in trust for, such resident and is garaged in this state. As used in this subdivision, "dwelling" does not include any portion of the unit or structure used by such resident for commercial purposes or from which such resident derives any rental income.

51 (B) If such resident lacks such [dwelling or motor vehicle] property 52 in such resident's name, [the dwelling or motor vehicle, as applicable,] 53 so much of the property belonging to, or held in trust for, such resident's 54 spouse, who is domiciled with such resident, shall be so exempt. When 55 any resident entitled to an exemption under the provisions of this 56 subdivision has died on or after October 1, 2024, or had died on or after 57 October 1, 2023, but prior to October 1, 2024, as applicable, the 58 [dwelling] real property or motor vehicle, as applicable, described in 59 subparagraph (A) of this subdivision belonging to, or held in trust for, 60 such deceased resident's surviving spouse, while such spouse remains 61 a widow or widower, or belonging to or held in trust for such deceased 62 resident's minor children during their minority, or both, while they are 63 residents of this state, shall be so exempt as that to which such resident 64 was or would have been entitled at the time of such resident's death.

65 (C) No individual entitled to the exemption under this subdivision 66 and under one or more of subdivisions (19), (22), (23), (25) and (26) of 67 this section shall receive more than one exemption.

68 (D) (i) No individual shall receive any exemption to which such 69 individual is entitled under this subdivision until such individual has 70 complied with section 12-95, as amended by this act, and has submitted 71 proof of such individual's [disability rating, as determined] 72 determination by the United States Department of Veterans Affairs, to 73 the assessor of the town in which the exemption is sought. If there is no 74 change to an individual's [disability rating] determination, such proof 75 shall not be required for any assessment year following that for which

76 the exemption under this subdivision is granted initially. If the United 77 States Department of Veterans Affairs modifies an individual's 78 [disability rating] determination to other than permanently and totally 79 disabled based on a service-connected [permanent and total] disability 80 rating of one hundred per cent, such modification shall be deemed a 81 waiver of the right to the exemption under this subdivision. Any such 82 individual whose [disability rating] determination was modified to 83 other than permanently and totally disabled based on a service-84 connected [permanent and total] disability rating of one hundred per 85 cent may seek the exemption under subdivision (20) of this section.

86 (ii) Any individual who has been unable to submit evidence of 87 [disability rating] such determination by the United States Department 88 of Veterans Affairs in the manner required by this subdivision, or who 89 has failed to submit such evidence as provided in section 12-95, as 90 amended by this act, may, when such individual obtains such evidence, 91 make application to the tax collector not later than one year after such 92 individual obtains such proof or not later than one year after the 93 expiration of the time limited in section 12-95, as amended by this act, 94 as the case may be, for abatement in case the tax has not been paid, or 95 for refund in case the whole tax or part of the tax has been paid. Such 96 abatement or refund may be granted retroactively to include the 97 assessment day next succeeding the date as of which such individual 98 was entitled to such [disability rating as determined] determination by 99 the United States Department of Veterans Affairs, but in no case shall 100 any abatement or refund be made for a period greater than three years.

101 (iii) The tax collector shall, after examination of such application, refer 102 the same, with the tax collector's recommendations thereon, to the board 103 of selectmen of a town or to the corresponding authority of any other 104 municipality, and shall certify to the amount of abatement or refund to 105 which the applicant is entitled. Upon receipt of such application and 106 certification, the selectmen or other duly constituted authority shall, in 107 case the tax has not been paid, issue a certificate of abatement or, in case 108 the whole tax or part of the tax has been paid, draw an order upon the

treasurer in favor of such applicant for such amount, without interest.
Any action so taken by such selectmen or other authority shall be a
matter of record and the tax collector shall be notified in writing of such
action.

Sec. 3. Subdivision (20) of section 12-81 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage and applicable to assessment years commencing on or after October 1,* 2024):

117 (20) (A) Subject to the provisions hereinafter stated, property not 118 exceeding three thousand five hundred dollars in amount shall be 119 exempt from taxation, which property belongs to, or is held in trust for, 120 any resident of this state who has served, or is serving, in the Army, 121 Navy, Marine Corps, Coast Guard, Air Force or Space Force of the 122 United States and (i) has a disability rating as determined by the United 123 States Department of Veterans Affairs amounting to ten per cent or 124 more of total disability, other than a determination of being 125 permanently and totally disabled based on a service-connected 126 [permanent and total] disability rating of one hundred per cent, 127 provided such exemption shall be two thousand dollars in any case in 128 which such rating is between ten per cent and twenty-five per cent; two 129 thousand five hundred dollars in any case in which such rating is more 130 than twenty-five per cent but not more than fifty per cent; three 131 thousand dollars in any case in which such rating is more than fifty per 132 cent but not more than seventy-five per cent; and three thousand five 133 hundred dollars in any case in which such resident has attained sixty-134 five years of age or such rating is more than seventy-five per cent; or (ii) 135 is receiving a pension, annuity or compensation from the United States 136 because of the loss in service of a leg or arm or that which is considered 137 by the rules of the United States Pension Office or the Bureau of War 138 Risk Insurance the equivalent of such loss.

(B) If such veteran lacks such amount of property in such veteran'sname, so much of the property belonging to, or held in trust for, such

141 veteran's spouse, who is domiciled with such veteran, as is necessary to 142 equal such amount shall also be so exempt. When any veteran entitled 143 to an exemption under the provisions of this subdivision has died, 144 property belonging to, or held in trust for, such deceased veteran's 145 surviving spouse, while such spouse remains a widow or widower, or 146 belonging to or held in trust for such deceased veteran's minor children 147 during their minority, or both, while they are residents of this state, shall 148 be exempt in the same aggregate amount as that to which the disabled 149 veteran was or would have been entitled at the time of such veteran's 150 death.

151 (C) No individual entitled to the exemption under this subdivision 152 and under one or more of subdivisions (19), (22), (23), (25) and (26) of 153 this section shall receive more than one exemption.

154 (D) (i) No individual shall receive any exemption to which such 155 individual is entitled under this subdivision until such individual has 156 complied with section 12-95, as amended by this act, and has submitted 157 proof of such individual's disability rating, as determined by the United States Department of Veterans Affairs, to the assessor of the town in 158 159 which the exemption is sought. If there is no change to an individual's 160 disability rating, such proof shall not be required for any assessment year following that for which the exemption under this subdivision is 161 162 granted initially. If the United States Department of Veterans Affairs 163 modifies a veteran's disability rating, such modification shall be deemed 164 a waiver of the right to the exemption under this subdivision until proof 165 of disability rating is submitted to the assessor and the right to such 166 exemption is established as required initially, except that if such 167 disability rating is modified to a determination that such veteran is 168 permanently and totally disabled based on a service-connected 169 [permanent and total] disability rating of one hundred per cent, such 170 veteran may seek the exemption under subdivision (83) of this section.

(ii) Any individual who has been unable to submit evidence ofdisability rating in the manner required by this subdivision, or who has

173 failed to submit such evidence as provided in section 12-95, as amended 174 by this act, may, when such individual obtains such evidence, make 175 application to the tax collector not later than one year after such 176 individual obtains such proof or not later than one year after the 177 expiration of the time limited in section 12-95, as amended by this act, 178 as the case may be, for abatement in case the tax has not been paid, or 179 for refund in case the whole tax has been paid, of such part or the whole 180 of such tax as represents the service exemption. Such abatement or 181 refund may be granted retroactively to include the assessment day next 182 succeeding the date as of which such person was entitled to such 183 disability rating as determined by the United States Department of 184 Veterans Affairs, but in no case shall any abatement or refund be made 185 for a period greater than three years.

186 (iii) The tax collector shall, after examination of such application, refer 187 the same, with the tax collector's recommendations thereon, to the board 188 of selectmen of a town or to the corresponding authority of any other 189 municipality, and shall certify to the amount of abatement or refund to 190 which the applicant is entitled. Upon receipt of such application and 191 certification, the selectmen or other duly constituted authority shall, in 192 case the tax has not been paid, issue a certificate of abatement or, in case 193 the whole tax has been paid, draw an order upon the treasurer in favor 194 of such applicant for the amount, without interest, that represents the 195 service exemption. Any action so taken by such selectmen or other 196 authority shall be a matter of record and the tax collector shall be 197 notified in writing of such action;

Sec. 4. Section 12-93 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage and applicable to assessment years commencing on or after October 1, 2024*):

Any person who claims an exemption from taxation under the provisions of section 12-81<u>, as amended by this act</u>, or 12-82 by reason of service in the Army, Navy, Marine Corps, Coast Guard, Air Force or Space Force of the United States shall give notice to the town clerk of the

205 town in which he resides that he is entitled to such exemption. Any 206 person who has performed such service may establish his right to such 207 exemption by exhibiting to the town clerk an honorable discharge, or a 208 certified copy thereof, from such service or, in the absence of such 209 discharge or copy, by appearing before the assessors for an examination 210 under oath, supported by two affidavits of disinterested persons, 211 showing that the claimant is a veteran, as defined in section 27-103, or is 212 serving or, if he is unable to appear by reason of such service, he may 213 establish such right, until such time as he appears personally and 214 exhibits his discharge or copy, by forwarding to the town clerk annually 215 a written statement, signed by the commanding officer of his unit, ship 216 or station or by some other appropriate officer, or where such claimant 217 is currently serving in an active theater of war or hostilities, by the 218 presentation of a notarized statement of a parent, guardian, spouse or 219 legal representative of such claimant, stating that he is personally 220 serving and is unable to appear in person by reason of such service, 221 which statement shall be received before the assessment day of the town 222 wherein the exemption is claimed. In the case of any person claiming 223 exemption under subdivision (83) of section 12-81, as amended by this 224 act, such person shall present to the assessors all documentation 225 necessary to demonstrate that the claimant has been determined by the 226 United States Department of Veterans Affairs to be permanently and 227 totally disabled based on a service-connected disability rating of one 228 hundred per cent, and shall attest that such person has not filed for, and 229 will not file for, the exemption under said subdivision in another town. 230 The assessors shall report to the town clerk all claims so established. 231 Any person claiming exemption by reason of the service of a relative as 232 a soldier, sailor, marine or member of the Coast Guard, Air Force or 233 Space Force may establish his right thereto by at least two affidavits of 234 disinterested persons showing the service of such relative, his honorable 235 discharge or death in service, and the relationship of the claimant to 236 him; and the assessors may further require such person to be examined 237 by them under oath concerning such facts. The town clerk of the town 238 where the honorable discharge or certified copy thereof and each

239 affidavit is originally presented for record shall record such discharge 240 or certified copy or affidavits thereof in full and shall list the names of 241 such claimants and such service shall be performed by the town clerk 242 without remuneration therefor. Thereafter if any person entitled to such 243 exemption changes his legal residence, the town clerk in the town of 244 former residence and in which such honorable discharge or certified 245 copy thereof or any such affidavit in respect to such person was 246 originally presented for record shall, upon request and payment of a fee 247 by such person to said town of former residence in an amount 248 determined by the town treasurer as necessary to cover the cost of such 249 procedure, prepare and mail to the town in which such person resides, 250 a copy of the record of such discharge or certified copy thereof or 251 affidavits, or he may establish his right to such exemption in the town 252 in which he resides by exhibiting to the town clerk thereof the original 253 discharge or a certified copy thereof or such affidavits. Said clerk shall 254 take therefrom sufficient data to satisfy the exemption requirements of 255 the general statutes and shall record the same and shall note the town 256 where the original complete recording of discharge papers was made. 257 No board of assessors or board of assessment appeals or other official 258 shall allow any such claim for exemption unless evidence as herein 259 specified has been filed in the office of the town clerk, provided, if any 260 claim for exemption has been allowed by any board of assessors or 261 board of assessment appeals prior to July 1, 1923, the provisions of this 262 section shall not apply to such claim. Each claim granted prior to July 1, 263 1923, shall be recorded with those presented subsequent thereto, and a 264 list of such names, alphabetically arranged, shall be furnished the 265 assessors by the town clerk.

Sec. 5. Section 12-94 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage and applicable to assessment years commencing on or after October 1, 2024*):

- The exemptions granted in sections 12-81, as amended by this act, and 12-82 to soldiers, sailors, marines and members of the Coast Guard, Air Force and Space Force, and their spouses, widows, widowers, fathers
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272 and mothers, and to blind or totally disabled persons and their spouses 273 shall first be made in the town in which the person entitled thereto 274 resides, and any person asking such exemption in any other town shall 275 annually make oath before, or forward his or her affidavit to, the 276 assessors of such town, deposing that such exemptions, except the 277 exemption provided in subdivision (55) of section 12-81, if allowed, will 278 not, together with any other exemptions granted under sections 12-81, 279 as amended by this act, and 12-82, exceed the amount of exemption 280 thereby allowed to such person. Such affidavit shall be filed with the 281 assessors within the period the assessors have to complete their duties 282 in the town where the exemption is claimed. The assessors of each town 283 shall annually make a certified list of all persons who are found to be 284 entitled to exemption under the provisions of said sections, which list 285 shall be filed in the town clerk's office, and shall be prima facie evidence 286 that the persons whose names appear thereon and who are not required 287 by law to give annual proof are entitled to such exemption as long as 288 they continue to reside in such town; but such assessors may, at any 289 time, require any such person to appear before them for the purpose of 290 furnishing [additional] evidence that demonstrates such person's 291 entitlement to such exemption, provided [,] (1) any person who by 292 reason of such person's disability is unable to so appear may furnish 293 such assessors a statement from such person's attending physician, 294 physician assistant or an advanced practice registered nurse certifying 295 that such person is totally disabled and is unable to make a personal 296 appearance and such other evidence of total disability as such assessors 297 may deem appropriate, and (2) any person claiming exemption under 298 subdivision (83) of section 12-81, as amended by this act, may furnish 299 documentation from the United States Department of Veterans Affairs 300 certifying that such person is permanently and totally disabled based on a service-connected disability rating of one hundred per cent and is 301 302 unable to make a personal appearance.

303 Sec. 6. Section 12-95 of the general statutes is repealed and the 304 following is substituted in lieu thereof (*Effective from passage and*

applicable to assessment years commencing on or after October 1, 2024):

306 No individual shall receive any exemption to which such individual 307 is entitled by any one of subdivisions (19), (20), (22), (23), (25), (26), (28) 308 and (83) of section 12-81, as amended by this act, or section 12-82 until 309 such individual has proved such individual's right to such exemption in 310 accordance with the provisions of sections 12-93, as amended by this act, 311 and 12-94, as amended by this act, together with such further proof as is 312 necessary under the provisions of any of said sections, including any 313 modification by the United States Department of Veterans Affairs of (1) 314 a veteran's disability rating as described in subdivision (20) of section 12-81, as amended by this act, or (2) a resident's determination as 315 316 permanently and totally disabled based on a one hundred per cent 317 disability rating as described in subdivision (83) of section 12-81, as 318 amended by this act. Exemptions so proved by residents shall take effect 319 on the next succeeding assessment day, provided individuals entitled to 320 an exemption under the provisions of subdivision (20) or (83) of section 321 12-81, as amended by this act, may prove such right at any time before 322 the expiration of the time limited by law for the board of assessment 323 appeals of the town wherein the exemption is claimed to complete its 324 duties and such exemption shall take effect on the assessment day next 325 preceding the date of the proof thereof. For purposes of any tax payable 326 in accordance with the provisions of section 12-71b, any such exemption 327 referred to in this section shall take effect on the first day of January next 328 following the date on which the right to such exemption has been 329 proved.

Sec. 7. Section 12-93a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage and applicable to assessment years commencing on or after October 1, 2024*):

(a) Any person entitled to an exemption from property tax in
accordance with any provision of subdivisions (19) to (26), inclusive,
and (83) of section 12-81, as amended by this act, who is the owner of a
residential dwelling on leased land, including any such person who is a

sublessee under terms of the lease, shall be entitled to claim such exemption in respect to the assessment of the dwelling for purposes of the property tax, provided (1) the dwelling is such person's principal place of residence, (2) such lease or sublease requires that such person as the lessee or sublessee, whichever is applicable, pay all property taxes related to the dwelling and (3) such lease or sublease is recorded in the land records of the town.

344 (b) Any person entitled to an exemption from property tax in 345 accordance with the provisions of subdivisions (19) to (26), inclusive, 346 and (83) of section 12-81, as amended by this act, shall be entitled to 347 claim such exemption with respect to the assessment of a motor vehicle 348 that is leased by such person. Notwithstanding the provisions of this 349 chapter, any person claiming the exemption under this section for a 350 leased motor vehicle shall be entitled to a refund of tax paid with respect 351 to such vehicle whether such tax was paid by the lessee or by the lessor 352 pursuant to the terms of the lease. Such refund shall equal the amount 353 of such person's exemption multiplied by the applicable mill rate. Any such person claiming the exemption for a leased vehicle under this 354 355 subdivision for any assessment year shall, not later than the thirty-first 356 day of December next following the assessment year during which the 357 tax for such leased vehicle has been paid, file with the assessor or board 358 of assessors, in the town in which such motor vehicle tax has been paid, 359 written application claiming such exemption on a form approved for 360 such purpose by such assessor or board. Upon approving such person's 361 exemption claim, the assessor shall certify the amount of refund to 362 which the applicant is entitled and shall notify the tax collector of such 363 amount. The tax collector shall refer such certification to the board of selectmen in a town or to the corresponding authority in any other 364 municipality. Upon receipt of such certification, the selectmen or such 365 366 other authority shall draw an order on the Treasurer in favor of such 367 person for the amount of refund so certified. Failure to file such 368 application as prescribed in this subsection with respect to any 369 assessment year shall constitute a waiver of the right to such exemption

370 for such assessment year.

371 Sec. 8. Section 12-81cc of the general statutes is repealed and the 372 following is substituted in lieu thereof (*Effective from passage and* 373 *applicable to assessment years commencing on or after October 1, 2024*):

374 Any person who has established his or her entitlement to a property 375 tax exemption under subdivision (19), (20), (22), (23), (24), (25), (26), (28), 376 [or] (53) or (83) of section 12-81, as amended by this act, or section 12-377 81g for a particular assessment year shall be issued a certificate as to 378 such entitlement by the tax assessor of the relevant municipality. Such 379 person shall be entitled to such exemption in any municipality in this 380 state for such assessment year provided a copy of such certificate is 381 provided to the tax assessor of any municipality in which such 382 exemption is claimed and further provided such person would 383 otherwise have been eligible for such exemption in such municipality if 384 he or she had filed for such exemption as provided under the general 385 statutes.

Sec. 9. Subdivision (22) of section 12-81 of the general statutes is
repealed and the following is substituted in lieu thereof (*Effective October*1, 2025, and applicable to assessment years commencing on or after October 1,
2025):

390 (22) Subject to the provisions of sections 12-89, 12-90 and 12-95, as 391 amended by this act, (A) property to the amount of one thousand dollars 392 belonging to, or held in trust for, any surviving spouse while such 393 person remains a widow or widower, or a minor child or both, residing 394 in this state, of one who has served in the Army, Navy, Marine Corps, 395 Coast Guard, Air Force or Space Force of the United States, or any 396 citizen of the United States who served in the military or naval service 397 of a government allied or associated with the United States, as provided 398 by subdivision (19) of this section, and who has died either during his 399 or her term of service, except as provided in subparagraph (B) of this 400 subdivision, or after becoming a veteran, as defined in section 27-103,

401 [provided such amount shall be three thousand dollars] and (B) if death 402 was due to service and occurred while on active duty (i) that portion of a dwelling, including a condominium, as defined in section 47-68a, a 403 unit in a common interest community, as defined in section 47-202, and 404 405 a mobile manufactured home, as defined in section 12-63a, and the lot 406 upon which such dwelling sits, not to exceed two acres thereof, that (I) belongs to, or is held in trust for, any such surviving spouse, and (II) is 407 408 occupied by such surviving spouse as the surviving spouse's primary residence, or (ii) lacking such residence, one motor vehicle that belongs 409 410 to, or is held in trust for, such surviving spouse and is garaged in this 411 state. As used in this subparagraph, "dwelling" does not include any portion of the unit or structure used by such surviving spouse for 412 413 commercial purposes or from which such surviving spouse derives any

414 rental income;

> This act shall take effect as follows and shall amend the following sections:

Section 1	from passage	New section
Sec. 2	from passage and applicable to assessment years commencing on or after October 1, 2024	12-81(83)
Sec. 3	from passage and applicable to assessment years commencing on or after October 1, 2024	12-81(20)
Sec. 4	from passage and applicable to assessment years commencing on or after October 1, 2024	12-93
Sec. 5	from passage and applicable to assessment years commencing on or after October 1, 2024	12-94

Sec. 6	from passage and applicable to assessment years commencing on or after October 1, 2024	12-95
Sec. 7	from passage and applicable to assessment years commencing on or after October 1, 2024	12-93a
Sec. 8	from passage and applicable to assessment years commencing on or after October 1, 2024	12-81cc
Sec. 9	October 1, 2025, and applicable to assessment years commencing on or after October 1, 2025	12-81(22)

Statement of Purpose:

To (1) authorize municipalities to disregard already-published grand lists for the assessment years commencing October 1, 2024, for purposes of adjusting and republishing said grand lists, (2) make several changes to the veterans' property tax exemption enacted in public act 24-46, and (3) increase a property tax exemption for surviving spouses of members of the armed forces who were killed in action.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]