
OLR Bill Analysis

sHB 6748

AN ACT CONCERNING THE RECORDING OF A MILITARY DISCHARGE CHARACTERIZATION UPON A STATE VETERANS REGISTRY AS "HONORABLE" AND MAKING A MINOR TECHNICAL REVISION TO A CERTAIN SUCH CHARACTERIZATION.

SUMMARY

This bill allows veterans with qualifying conditions who have received an other-than-honorable (OTH) discharge to apply for their discharge from the armed forces to be characterized as honorable in the state's veteran registry. The state's veteran registry is primarily a repository of contact information and other veteran data to facilitate notifying veterans of military and veterans benefits information. Recording a veteran's discharge as honorable in the registry does not affect benefits eligibility.

The bill requires the Eligibility Qualifying Review Board (EQRB) (see BACKGROUND) to review all applications within 30 days of receiving them. The veteran may include evidence supporting the claim that the other-than-honorable discharge was based on a qualifying condition. The board must make a recommendation to the veterans affairs commissioner within 30 days of its review on whether a veteran's OTH discharge was based on a qualifying condition. The commissioner must issue a written decision approving or denying the application within 10 days of receiving the recommendation. If the application is approved, the veteran's discharge characterization must be recorded in the registry as honorable. As under existing law for EQRB applications, the veteran may request reconsideration and supply additional information if the application is denied.

Under existing law and the bill, a qualifying condition is a (1) post-traumatic stress disorder or traumatic brain injury diagnosis by a licensed health care professional at a U.S. Department of Veterans

Affairs facility; (2) military sexual trauma disclosed to such a health care professional; or (3) determination by the EQRB that sexual orientation, gender identity, or gender expression was more likely than not the primary reason for the OTH discharge (CGS § 27-103).

The bill also makes technical and conforming changes.

EFFECTIVE DATE: Upon passage

BACKGROUND

Veteran

By law, a veteran is anyone honorably discharged or released under honorable conditions, or released with an other-than-honorable discharge based on a qualifying condition, from active service in the armed forces (i.e. the U.S. Army, Navy, Marine Corps, Coast Guard, Space Force, Air Force, and any of their reserve components, including the Connecticut National Guard when under federal service).

When servicemembers leave the armed forces, they are assigned a discharge rating generally tied to their conduct during their service. In order to receive state and federal benefits, a member usually must receive a discharge under honorable conditions. Veterans who receive an OTH discharge generally cannot receive veterans benefits.

Eligibility Qualifying Review Board

By law, the EQRB must review applications from veterans who believe their OTH discharge was based on their sexual orientation, gender identity, or gender expression. In practice, EQRB also reviews applications from veterans who believe their OTH discharge was based on post-traumatic stress disorder or a traumatic brain injury resulting from military service, or was a result of military sexual trauma.

After its review, the EQRB must recommend to the veterans affairs commissioner whether sexual orientation, gender identity, or gender expression was more likely than not the primary reason for the OTH discharge. If the commissioner approves the application, the veteran qualifies for state veterans benefits.

COMMITTEE ACTION

Veterans' and Military Affairs Committee

Joint Favorable Substitute

Yea 19 Nay 1 (03/11/2025)