# **ASSEMBLY RESOLUTION No. 262**

# STATE OF NEW JERSEY

## 219th LEGISLATURE

INTRODUCED JUNE 1, 2021

**Sponsored by:** 

Assemblyman ERIC HOUGHTALING
District 11 (Monmouth)
Assemblywoman JOANN DOWNEY
District 11 (Monmouth)
Assemblywoman CLEOPATRA G. TUCKER
District 28 (Essex)

#### **Co-Sponsored by:**

Assemblymen Benson, Space, Wirths, Freiman, Assemblywoman Swain and Assemblyman Tully

#### **SYNOPSIS**

Urges passage of federal "Disabled Veterans Tax Termination Act."

### **CURRENT VERSION OF TEXT**

As introduced.



(Sponsorship Updated As Of: 6/24/2021)

## **AR262** HOUGHTALING, DOWNEY

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1	AN ASSEMBLY RESOLUTION urging passage of the federal
2	"Disabled Veterans Tax Termination Act."
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4	WHEREAS, The State is home to approximately 355,000 U.S. military
5	veterans; and
6	WHEREAS, Under current federal law, a military veteran with a
7	service-connected disability can only claim concurrent retirement
8	and disability pay if the veteran has a service-connected disability
9	rating of 50 percent or higher; and
10	WHEREAS, Disability rating is a percentage assigned by the federal
11	Department of Veterans Affairs to reflect the severity of a veteran's
12	disability; and
13	WHEREAS, Concurrent retirement and disability pay allows military
14	veterans to claim military retirement pay without having the
15	retirement pay offset by the amount of disability compensation that
16	those veterans receive; and
17	WHEREAS, Under current federal law, a military veteran not receiving
18	concurrent retirement and disability pay has his or her military
19	retirement pay reduced dollar for dollar by the amount received
20	from veteran disability compensation; and
21	WHEREAS, A military veteran who is entitled to both retirement pay
22	and disability compensation should not be subject to a retirement
23	pay reduction for receiving disability compensation; and
24	WHEREAS, The federal "Disabled Veterans Tax Termination Act"
25	would allow a veteran with a disability rating lower than 50 percent
26	to receive concurrent retirement and disability pay; and
27	WHEREAS, Currently, a military veteran under Chapter 61 can only
28	claim concurrent retirement and disability pay if the veteran has a
29	least 20 years of service; and
30	WHEREAS, A Chapter 61 military veteran is one who retires from the
31	military due to a service-connected disability and whose disability
32	rating is 30 percent or higher; and
33	WHEREAS, The federal "Disabled Veterans Tax Termination Act"
34	would allow a military veteran under Chapter 61 with less than 20
35	years of service to receive concurrent retirement and disability pays
36	and
37	WHEREAS, The federal government should not limit the amount of
38	retirement pay a military veteran receives just because the military
39	veteran also receives disability compensation; now, therefore,
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41	BE IT RESOLVED by the General Assembly of the State of New
42	Jersey:
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44	1. This House urges the Congress and President of the United
45	States to pass and enact the "Disabled Veterans Tax Termination
46	Act."

#### **AR262** HOUGHTALING, DOWNEY

2. Copies of this resolution, as filed with the Clerk of the General Assembly, shall be transmitted by the Clerk of the General Assembly to the President and Vice President of the United States, the Majority and Minority Leaders of the United States Senate, the Speaker and Minority Leader of the House of Representatives, and each member of the United States Congress elected from this State.

#### **STATEMENT**

This Assembly resolution urges the President and Congress of the United State to pass and enact the federal "Disabled Veterans Tax Termination Act."

Under current federal law, a military veteran with a service-connected disability can only claim concurrent retirement and disability pay if the veteran with a service-connected disability has a disability rating of 50 percent or higher. Concurrent retirement and disability pay allows military veterans to claim military retirement pay without having the retirement pay offset by the amount of disability compensation. Under current federal law, a military veteran not receiving concurrent retirement and disability pay has their military retirement pay reduced dollar for dollar by the amount received from veteran disability compensation. The "Disabled Veterans Tax Termination Act" would allow military veterans with a disability rating of less than 50 percent to claim concurrent retirement and disability pay.

Under current federal law, a military veteran under Chapter 61 can only receive concurrent retirement and disability pay if the retiree has at least 20 years of service. A Chapter 61 military veteran is one who retires from the military due to a service-connected disability and whose disability rating is 30 percent or higher. The "Disabled Veterans Tax Termination Act" would allow military veterans under Chapter 61 to receive concurrent retirement and disability pay even if the veteran has less than 20 years of service.