
OLR Bill Analysis

HB 5401

AN ACT CONCERNING CREDIT FOR MILITARY SERVICE UNDER THE MUNICIPAL EMPLOYEES' RETIREMENT SYSTEM.

SUMMARY

This bill makes changes in statutes that allow members of fund B of the Connecticut Municipal Employees' Retirement System (CMERS) to purchase credit for their wartime service with the armed forces (see BACKGROUND).

Specifically, the bill does the following:

1. rewords the class of members eligible to purchase credit for wartime service;
2. specifies some of the documents that are considered sufficient to prove eligibility; and
3. requires that an application to purchase credit be accompanied by proof of eligibility.

The bill also makes technical and conforming changes.

EFFECTIVE DATE: October 1, 2024, and applicable to applications to purchase credit made on or after that date

PURCHASING CREDIT FOR MILITARY SERVICE

Eligible Members

CMERS is a defined benefit public pension plan providing retirement, disability, survivor, and other benefits to eligible members and their beneficiaries. By law, a CMERS member may retire and receive a normal pension benefit after 25 years of aggregate service in a participating municipality or after reaching age 55, with at least five years of continuous service or 15 years of aggregate service (CGS § 7-

428).

The bill explicitly provides that to be eligible to purchase credit for wartime service, a CMERS member must have served at least one day in the armed forces during a period of war (and thus be included in an employee's service calculation as aggregate service). Under current law, a member is allowed to do so if he or she served in any branch of the armed forces of the United States during a time of war. The bill appears to apply to the same subset of eligible members to whom the underlying law applies.

In practice, CMERS requires a member to have (1) active service in a time of war and (2) an honorable discharge. However, as is the case for existing law, the bill is silent on whether an honorable discharge or active duty is required to purchase credit for these service periods.

Forms of Proof

The bill specifies that a CMERS member must submit proof of eligible service along with his or her application to purchase credit for their service. It also lists some of the forms of proof that satisfy this requirement, including the following:

1. a DD-214 (i.e., an official discharge document from the military);
2. a record or document issued by the Department of Defense (DOD) detailing the member's service;
3. a record or document detailing the member's service that can be verified by DOD; or
4. a written statement signed by the member's commanding officer.

Current law does not specify the forms of proof that are sufficient to prove eligible military service. In practice, CMERS requires a DD-214 to do so.

BACKGROUND

Wartime Service in the Armed Forces

Under state law, "armed forces" includes the U.S. Army, Navy,

Marine Corps, Coast Guard, Air Force, Space Force, their reserve components, and the Connecticut National Guard performing certain active duty missions. The table below shows post-1940 “periods of war” for the armed forces under CGS § 27-103(a)(4).

Table: Post-1940 “Periods of War”

<i>Operation</i>	<i>Covered Period</i>
World War II	12/7/41 – 12/31/46
Korean conflict	6/27/50 – 1/31/55
Lebanon conflict	7/1/58 – 11/1/58 and 9/29/82 – 3/30/84
Vietnam era	2/28/61 – 7/1/75
Grenada invasion	10/25/83 – 12/15/83
Operation Earnest Will (escort of Kuwaiti tankers flying U.S. flag in the Persian Gulf)	7/24/87 – 8/1/90
Panama invasion	12/20/89 – 1/31/90
Persian Gulf War	8/2/90 until a date prescribed by the President or law
Afghanistan	10/24/01 – 8/30/21
Iraq	3/19/03 – 12/31/11 and 6/1/14 – 12/9/21

COMMITTEE ACTION

Veterans' and Military Affairs Committee

Joint Favorable

Yea 20 Nay 0 (03/14/2024)