

AMENDED IN ASSEMBLY APRIL 24, 2000

CALIFORNIA LEGISLATURE—1999–2000 REGULAR SESSION

ASSEMBLY BILL

No. 2092

Introduced by Assembly Member Reyes

February 22, 2000

An act to add Section 890.3 to the Military and Veterans Code, relating to veterans.

LEGISLATIVE COUNSEL'S DIGEST

AB 2092, as amended, Reyes. Disabled veterans: benefit ~~retroactivity~~ *eligibility*.

Existing law provides certain benefits *with respect* to disabled veterans, including a reduction in ad valorem real property taxes on the disabled veteran's home.

~~This bill would provide that the effective date for any benefit available to a disabled veteran is retroactive to the date on which the disabled veteran applied for that benefit, regardless of the date on which the veteran receives a federal certification of disability. To receive this retroactive status, a disabled veteran would be required to make a timely application for federal certification of disability. By making these benefits retroactive, including the disabled veterans' homeowners exemption, the bill would reduce property tax revenue to local agencies.~~

~~Section 2229 of the Revenue and Taxation Code requires the Legislature to reimburse local agencies annually for certain property tax revenues lost as a result of any exemption or~~

~~classification of property for purposes of ad valorem property taxation.~~

~~This bill would provide that, notwithstanding Section 2229 of the Revenue and Taxation Code, no appropriation is made and the state shall not reimburse local agencies for property tax revenues lost by them pursuant to the bill.~~

This bill would, as provided, specify that on or after January 1, 2001, a claimant is not ineligible for a disabled veterans' benefit, as defined, for lack of certification of disability of the veteran with respect to whom the benefit is sought, if there is a currently pending application with the United States Department of Veterans Affairs for certification of disability for that veteran and the subsequently received certification qualifies the veteran for the benefit.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: ~~yes~~ no.

The people of the State of California do enact as follows:

~~1 SECTION 1. The effective date for any benefit
2 available to a disabled veteran shall be retroactive to the
3 date on which the disabled veteran applied for that
4 benefit, regardless of the date on which the veteran
5 receives a federal certification of disability. A veteran
6 shall make a timely application for federal certification of
7 disability.~~

~~8 SEC. 2. Notwithstanding Section 2229 of the Revenue
9 and Taxation Code, no appropriation is made by this act
10 and the state shall not reimburse any local agency for any
11 property tax revenues lost by it pursuant to this act.~~

~~12 SECTION 1. Section 890.3 is added to the Military and
13 Veterans Code, to read:~~

~~14 890.3. (a) Notwithstanding any other provision of
15 law, on or after January 1, 2001, a claimant is not ineligible
16 for a disabled veterans' benefit, as defined in subdivision
17 (b), for lack of certification of disability of the veteran
18 with respect to whom the benefit is sought, if there is a
19 currently pending application to the United States
20 Department of Veterans Affairs (USDVA) for
21 certification of disability for that veteran and the~~



1 *subsequently received certification qualifies the veteran*
2 *for the benefit. An entity of state government, or any*
3 *political subdivision thereof, to which a claim for a*
4 *disabled veterans' benefit is made, shall require the*
5 *claimant to provide written verification that an*
6 *application was pending with the USDVA at the time the*
7 *claim for the disabled veterans' benefit is submitted.*

8 *(b) For purposes of this section, 'disabled veterans*
9 *benefit' means an exemption, privilege, service, or other*
10 *legal benefit that is provided pursuant to law by the state,*
11 *or a political subdivision thereof, exclusively to a disabled*
12 *veteran, or his or her surviving spouse, parent, or child.*

