

General Assembly

Raised Bill No. 341

February Session, 2024

LCO No. 2089



Referred to Committee on PUBLIC SAFETY AND SECURITY

Introduced by: (PS)

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AN ACT ESTABLISHING A FALLEN OFFICER FUND.

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

- Section 1. (NEW) (*Effective from passage*) (a) For purposes of this section:
 - (1) "Dependent child" means a child, whether by blood or adoption, of a police officer who (A) is under the age of twenty-two and was dependent on the earnings of such officer at the time of such officer's death, provided a child shall not be considered dependent if such child provides more than half of such child's own support, is married or is legally adopted by another person, or (B) is any age and is physically or mentally incapacitated and was dependent on the earnings of such officer at the time of such officer's death.
 - (2) "Killed in the line of duty" means the death of a police officer while engaged in the performance of such officer's duties, resulting from an incident, an accident or violence that caused such death or caused injuries that were the direct or proximate cause of such officer's death, including any death that is determined to be occupationally related by

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- 17 certificate of self-insurance has been issued pursuant to section 31-248
- of the general statutes or an administrative law judge for workers'
- 19 compensation purposes under chapter 568 of the general statutes.
- 20 "Killed in the line of duty" shall not include the death of a police officer
- 21 through such officer's own wanton or wilful act.

- 22 (3) "Law enforcement unit" has the same meaning as provided in section 7-294a of the general statutes.
- 24 (4) "Police officer" has the same meaning as provided in section 7-25 294a of the general statutes.
 - (5) "Surviving family" means any person who is a surviving spouse, surviving dependent child, surviving child who is not a dependent child or surviving parent of a police officer killed in the line of duty, or a surviving individual listed on such officer's most recent beneficiary form on file with such officer's employing law enforcement unit.
 - (b) There is established a fund to be known as the "Fallen Officer Fund". The fund may contain any moneys required by law to be deposited in the fund and shall be held by the Treasurer separate and apart from all other moneys, funds and accounts. The interest derived from the investment of the fund shall be credited to the fund. Amounts in the fund may be expended by the Comptroller for purposes of payments pursuant to subsection (c) of this section. Any balance remaining in the fund at the end of any fiscal year shall be carried forward in the fund for the fiscal year next succeeding.
 - (c) (1) After receiving notice, in a form and manner as determined by the Comptroller, from an individual who is a member of the surviving family of a police officer who was killed in the line of duty, the Comptroller shall pay, within available appropriations, a one-time lump sum death benefit totaling one hundred thousand dollars from the fund established in subsection (b) of this section to such surviving family, in accordance with regulations adopted pursuant to subsection (e) of this section. Payments shall be made in the order in which notices are

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48 received until the amount in such fund is depleted.

- (2) Any payment made pursuant to subdivision (1) of this section shall be in addition to any other benefits for which individuals of such officer's surviving family are eligible and such payments shall not be reduced or offset due to any other benefits, including, but not limited to, workers' compensation or other survivor benefits.
- (d) Not later than July 1, 2025, and annually thereafter, the Comptroller shall submit a report, in accordance with the provisions of section 11-4a of the general statutes, to the joint standing committee of the General Assembly having cognizance of matters relating to public safety and security. Such report shall include a list of all expenditures made from the fund established by subsection (b) of this section during the prior year, the current balance of such fund and information regarding additional amounts needed for such fund.
- (e) The Comptroller shall adopt regulations in accordance with the provisions of chapter 54 of the general statutes to implement the provisions of this section, including, but not limited to, application procedures and criteria for awarding grants among individuals who are members of the surviving family, with priority given to awards that would benefit a dependent child or children and a spouse who is a member of the surviving family. The Comptroller may implement policies and procedures necessary to implement the provisions of this section while in the process of adopting such regulations, provided notice of intent to adopt such regulations is published in the eRegulations System not later than twenty days after the date of implementation of such policies and procedures. Any policies and procedures implemented under this subsection shall be valid until the time such regulations are adopted.
- Sec. 2. Subparagraph (B) of subdivision (20) of subsection (a) of section 12-701 of the 2024 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage, and applicable to taxable years commencing on or after January 1, 2024*):

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(B) There shall be subtracted therefrom:

- 81 (i) To the extent properly includable in gross income for federal 82 income tax purposes, any income with respect to which taxation by any 83 state is prohibited by federal law;
 - (ii) To the extent allowable under section 12-718, exempt dividends paid by a regulated investment company;
 - (iii) To the extent properly includable in gross income for federal income tax purposes, the amount of any refund or credit for overpayment of income taxes imposed by this state, or any other state of the United States or a political subdivision thereof, or the District of Columbia;
- (iv) To the extent properly includable in gross income for federal income tax purposes and not otherwise subtracted from federal adjusted gross income pursuant to clause (x) of this subparagraph in computing Connecticut adjusted gross income, any tier 1 railroad retirement benefits;
 - (v) To the extent any additional allowance for depreciation under Section 168(k) of the Internal Revenue Code for property placed in service after September 27, 2017, was added to federal adjusted gross income pursuant to subparagraph (A)(ix) of this subdivision in computing Connecticut adjusted gross income, twenty-five per cent of such additional allowance for depreciation in each of the four succeeding taxable years;
 - (vi) To the extent properly includable in gross income for federal income tax purposes, any interest income from obligations issued by or on behalf of the state of Connecticut, any political subdivision thereof, or public instrumentality, state or local authority, district or similar public entity created under the laws of the state of Connecticut;
 - (vii) To the extent properly includable in determining the net gain or loss from the sale or other disposition of capital assets for federal income

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tax purposes, any gain from the sale or exchange of obligations issued

- by or on behalf of the state of Connecticut, any political subdivision
- thereof, or public instrumentality, state or local authority, district or
- similar public entity created under the laws of the state of Connecticut,
- in the income year such gain was recognized;

- (viii) Any interest on indebtedness incurred or continued to purchase or carry obligations or securities the interest on which is subject to tax under this chapter but exempt from federal income tax, to the extent that such interest on indebtedness is not deductible in determining federal adjusted gross income and is attributable to a trade or business carried on by such individual;
- (ix) Ordinary and necessary expenses paid or incurred during the taxable year for the production or collection of income which is subject to taxation under this chapter but exempt from federal income tax, or the management, conservation or maintenance of property held for the production of such income, and the amortizable bond premium for the taxable year on any bond the interest on which is subject to tax under this chapter but exempt from federal income tax, to the extent that such expenses and premiums are not deductible in determining federal adjusted gross income and are attributable to a trade or business carried on by such individual;
- (x) (I) For taxable years commencing prior to January 1, 2019, for a person who files a return under the federal income tax as an unmarried individual whose federal adjusted gross income for such taxable year is less than fifty thousand dollars, or as a married individual filing separately whose federal adjusted gross income for such taxable year is less than fifty thousand dollars, or for a husband and wife who file a return under the federal income tax as married individuals filing jointly whose federal adjusted gross income for such taxable year is less than sixty thousand dollars or a person who files a return under the federal income tax as a head of household whose federal adjusted gross income for such taxable year is less than sixty thousand dollars, an amount equal to the Social Security benefits includable for federal income tax

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143 purposes;

(II) For taxable years commencing prior to January 1, 2019, for a person who files a return under the federal income tax as an unmarried individual whose federal adjusted gross income for such taxable year is fifty thousand dollars or more, or as a married individual filing separately whose federal adjusted gross income for such taxable year is fifty thousand dollars or more, or for a husband and wife who file a return under the federal income tax as married individuals filing jointly whose federal adjusted gross income from such taxable year is sixty thousand dollars or more or for a person who files a return under the federal income tax as a head of household whose federal adjusted gross income for such taxable year is sixty thousand dollars or more, an amount equal to the difference between the amount of Social Security benefits includable for federal income tax purposes and the lesser of twenty-five per cent of the Social Security benefits received during the taxable year, or twenty-five per cent of the excess described in Section 86(b)(1) of the Internal Revenue Code;

(III) For the taxable year commencing January 1, 2019, and each taxable year thereafter, for a person who files a return under the federal income tax as an unmarried individual whose federal adjusted gross income for such taxable year is less than seventy-five thousand dollars, or as a married individual filing separately whose federal adjusted gross income for such taxable year is less than seventy-five thousand dollars, or for a husband and wife who file a return under the federal income tax as married individuals filing jointly whose federal adjusted gross income for such taxable year is less than one hundred thousand dollars or a person who files a return under the federal income tax as a head of household whose federal adjusted gross income for such taxable year is less than one hundred thousand dollars, an amount equal to the Social Security benefits includable for federal income tax purposes; and

(IV) For the taxable year commencing January 1, 2019, and each taxable year thereafter, for a person who files a return under the federal income tax as an unmarried individual whose federal adjusted gross

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income for such taxable year is seventy-five thousand dollars or more, or as a married individual filing separately whose federal adjusted gross income for such taxable year is seventy-five thousand dollars or more, or for a husband and wife who file a return under the federal income tax as married individuals filing jointly whose federal adjusted gross income from such taxable year is one hundred thousand dollars or more or for a person who files a return under the federal income tax as a head of household whose federal adjusted gross income for such taxable year is one hundred thousand dollars or more, an amount equal to the difference between the amount of Social Security benefits includable for federal income tax purposes and the lesser of twenty-five per cent of the Social Security benefits received during the taxable year, or twenty-five per cent of the excess described in Section 86(b)(1) of the Internal Revenue Code;

(xi) To the extent properly includable in gross income for federal income tax purposes, any amount rebated to a taxpayer pursuant to section 12-746;

- (xii) To the extent properly includable in the gross income for federal income tax purposes of a designated beneficiary, any distribution to such beneficiary from any qualified state tuition program, as defined in Section 529(b) of the Internal Revenue Code, established and maintained by this state or any official, agency or instrumentality of the state;
- (xiii) To the extent allowable under section 12-701a, contributions to accounts established pursuant to any qualified state tuition program, as defined in Section 529(b) of the Internal Revenue Code, established and maintained by this state or any official, agency or instrumentality of the state;
- (xiv) To the extent properly includable in gross income for federal income tax purposes, the amount of any Holocaust victims' settlement payment received in the taxable year by a Holocaust victim;
- 207 (xv) To the extent properly includable in the gross income for federal

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income tax purposes of a designated beneficiary, as defined in section 3-123aa, interest, dividends or capital gains earned on contributions to accounts established for the designated beneficiary pursuant to the Connecticut Homecare Option Program for the Elderly established by sections 3-123aa to 3-123ff, inclusive;

(xvi) To the extent properly includable in gross income for federal income tax purposes, any income received from the United States government as retirement pay for a retired member of (I) the Armed Forces of the United States, as defined in Section 101 of Title 10 of the United States Code, or (II) the National Guard, as defined in Section 101 of Title 10 of the United States Code;

(xvii) To the extent properly includable in gross income for federal income tax purposes for the taxable year, any income from the discharge of indebtedness in connection with any reacquisition, after December 31, 2008, and before January 1, 2011, of an applicable debt instrument or instruments, as those terms are defined in Section 108 of the Internal Revenue Code, as amended by Section 1231 of the American Recovery and Reinvestment Act of 2009, to the extent any such income was added to federal adjusted gross income pursuant to subparagraph (A)(xi) of this subdivision in computing Connecticut adjusted gross income for a preceding taxable year;

(xviii) To the extent not deductible in determining federal adjusted gross income, the amount of any contribution to a manufacturing reinvestment account established pursuant to section 32-9zz in the taxable year that such contribution is made;

(xix) To the extent properly includable in gross income for federal income tax purposes, (I) for the taxable year commencing January 1, 2015, ten per cent of the income received from the state teachers' retirement system, (II) for the taxable years commencing January 1, 2016, to January 1, 2020, inclusive, twenty-five per cent of the income received from the state teachers' retirement system, and (III) for the taxable year commencing January 1, 2021, and each taxable year

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thereafter, fifty per cent of the income received from the state teachers' retirement system or, for a taxpayer whose federal adjusted gross income does not exceed the applicable threshold under clause (xx) of this subparagraph, the percentage pursuant to said clause of the income received from the state teachers' retirement system, whichever deduction is greater;

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(xx) To the extent properly includable in gross income for federal income tax purposes, except for retirement benefits under clause (iv) of this subparagraph and retirement pay under clause (xvi) of this subparagraph, for a person who files a return under the federal income tax as an unmarried individual whose federal adjusted gross income for such taxable year is less than seventy-five thousand dollars, or as a married individual filing separately whose federal adjusted gross income for such taxable year is less than seventy-five thousand dollars, or as a head of household whose federal adjusted gross income for such taxable year is less than seventy-five thousand dollars, or for a husband and wife who file a return under the federal income tax as married individuals filing jointly whose federal adjusted gross income for such taxable year is less than one hundred thousand dollars, (I) for the taxable year commencing January 1, 2019, fourteen per cent of any pension or annuity income, (II) for the taxable year commencing January 1, 2020, twenty-eight per cent of any pension or annuity income, (III) for the taxable year commencing January 1, 2021, forty-two per cent of any pension or annuity income, and (IV) for the taxable years commencing January 1, 2022, and January 1, 2023, one hundred per cent of any pension or annuity income;

(xxi) To the extent properly includable in gross income for federal income tax purposes, except for retirement benefits under clause (iv) of this subparagraph and retirement pay under clause (xvi) of this subparagraph, any pension or annuity income for the taxable year commencing on or after January 1, 2024, and each taxable year thereafter, in accordance with the following schedule, for a person who files a return under the federal income tax as an unmarried individual whose federal adjusted gross income for such taxable year is less than

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one hundred thousand dollars, or as a married individual filing separately whose federal adjusted gross income for such taxable year is less than one hundred thousand dollars, or as a head of household whose federal adjusted gross income for such taxable year is less than one hundred thousand dollars:

T1	Federal Adjusted Gross Income	Deduction
T2	Less than \$75,000	100.0%
T3	\$75,000 but not over \$77,499	85.0%
T4	\$77,500 but not over \$79,999	70.0%
T5	\$80,000 but not over \$82,499	55.0%
T6	\$82,500 but not over \$84,999	40.0%
T7	\$85,000 but not over \$87,499	25.0%
T8	\$87,500 but not over \$89,999	10.0%
T9	\$90,000 but not over \$94,999	5.0%
T10	\$95,000 but not over \$99,999	2.5%
T11	\$100,000 and over	0.0%

(xxii) To the extent properly includable in gross income for federal income tax purposes, except for retirement benefits under clause (iv) of this subparagraph and retirement pay under clause (xvi) of this subparagraph, any pension or annuity income for the taxable year commencing on or after January 1, 2024, and each taxable year thereafter, in accordance with the following schedule for married individuals who file a return under the federal income tax as married individuals filing jointly whose federal adjusted gross income for such taxable year is less than one hundred fifty thousand dollars:

T12	Federal Adjusted Gross Income	Deduction
T13	Less than \$100,000	100.0%
T14	\$100,000 but not over \$104,999	85.0%
T15	\$105,000 but not over \$109,999	70.0%
T16	\$110,000 but not over \$114,999	55.0%

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		Raised Bill No. 341	
T17	\$115,000 but not over \$119,999	40.0%	
T18	\$120,000 but not over \$124,999	25.0%	
T19	\$125,000 but not over \$129,999	10.0%	
T20	\$130,000 but not over \$139,999	5.0%	
T21	\$140,000 but not over \$149,999	2.5%	
T22	\$150,000 and over	0.0%	
288	(xxiii) The amount of lost wages and med	ical, travel and housing	
289	expenses, not to exceed ten thousand dollars in	n the aggregate, incurred	
290	by a taxpayer during the taxable year in conne	ection with the donation	
291	to another person of an organ for organ transpl	antation occurring on or	
292	after January 1, 2017;		
293	(xxiv) To the extent properly includable in	gross income for federal	
294	income tax purposes, the amount of any financial assistance received		
295	from the Crumbling Foundations Assistance	Fund or paid to or on	
296	behalf of the owner of a residential building pr	ursuant to sections 8-442	
297	and 8-443;		
298	(xxv) To the extent properly includable in	gross income for federal	
299	income tax purposes, the amount calculated pr	ursuant to subsection (b)	
300	of section 12-704g for income received by a general partner of a venture		
301		capital fund, as defined in 17 CFR 275.203(l)-1, as amended from time to	
302	time;		
303	(xxvi) To the extent any portion of a deduct	ion under Section 179 of	
304	the Internal Revenue Code was added to feder	al adjusted gross income	
305	pursuant to subparagraph (A)(xiv) of this su	bdivision in computing	
306	Connecticut adjusted gross income, twenty	-five per cent of such	
307	disallowed portion of the deduction in each	of the four succeeding	
308	taxable years;	G	
309	(xxvii) To the extent properly includable in	gross income for federal	
310	income tax purposes, for a person who files a	return under the federal	
311	income tax as an unmarried individual whos	e federal adjusted gross	
312	income for such taxable year is less than seven	ty-five thousand dollars,	
313	or as a married individual filing separately who	se federal adjusted gross	

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income for such taxable year is less than seventy-five thousand dollars, or as a head of household whose federal adjusted gross income for such taxable year is less than seventy-five thousand dollars, or for a husband and wife who file a return under the federal income tax as married individuals filing jointly whose federal adjusted gross income for such taxable year is less than one hundred thousand dollars, for the taxable year commencing January 1, 2023, twenty-five per cent of any distribution from an individual retirement account other than a Roth individual retirement account;

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(xxviii) To the extent properly includable in gross income for federal income tax purposes, for a person who files a return under the federal income tax as an unmarried individual whose federal adjusted gross income for such taxable year is less than one hundred thousand dollars, or as a married individual filing separately whose federal adjusted gross income for such taxable year is less than one hundred thousand dollars, or as a head of household whose federal adjusted gross income for such taxable year is less than one hundred thousand dollars, (I) for the taxable year commencing January 1, 2024, fifty per cent of any distribution from an individual retirement account other than a Roth individual retirement account, (II) for the taxable year commencing January 1, 2025, seventy-five per cent of any distribution from an individual retirement account other than a Roth individual retirement account, and (III) for the taxable year commencing January 1, 2026, and each taxable year thereafter, any distribution from an individual retirement account other than a Roth individual retirement account. The subtraction under this clause shall be made in accordance with the following schedule:

T23	Federal Adjusted Gross Income	Deduction
T24	Less than \$75,000	100.0%
T25	\$75,000 but not over \$77,499	85.0%
T26	\$77,500 but not over \$79,999	70.0%
T27	\$80,000 but not over \$82,499	55.0%
T28	\$82,500 but not over \$84,999	40.0%
T29	\$85,000 but not over \$87,499	25.0%

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		Raised Bill No. 341
T30	\$87,500 but not over \$89,999	10.0%
T31	\$90,000 but not over \$94,999	5.0%
T32	\$95,000 but not over \$99,999	2.5%
T33	\$100,000 and over	0.0%

(xxix) To the extent properly includable in gross income for federal income tax purposes, for married individuals who file a return under the federal income tax as married individuals filing jointly whose federal adjusted gross income for such taxable year is less than one hundred fifty thousand dollars, (I) for the taxable year commencing January 1, 2024, fifty per cent of any distribution from an individual retirement account other than a Roth individual retirement account, (II) for the taxable year commencing January 1, 2025, seventy-five per cent of any distribution from an individual retirement account other than a Roth individual retirement account, and (III) for the taxable year commencing January 1, 2026, and each taxable year thereafter, any distribution from an individual retirement account other than a Roth individual retirement account. The subtraction under this clause shall be made in accordance with the following schedule:

T34	Federal Adjusted Gross Income	Deduction
T35	Less than \$100,000	100.0%
T36	\$100,000 but not over \$104,999	85.0%
T37	\$105,000 but not over \$109,999	70.0%
T38	\$110,000 but not over \$114,999	55.0%
T39	\$115,000 but not over \$119,999	40.0%
T40	\$120,000 but not over \$124,999	25.0%
T41	\$125,000 but not over \$129,999	10.0%
T42	\$130,000 but not over \$139,999	5.0%
T43	\$140,000 but not over \$149,999	2.5%
T44	\$150,000 and over	0.0%

(xxx) To the extent properly includable in gross income for federal income tax purposes, for the taxable year commencing January 1, 2022,

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- 356 the amount or amounts paid or otherwise credited to any eligible 357 resident of this state under (I) the 2020 Earned Income Tax Credit 358 enhancement program from funding allocated to the state through the 359 Coronavirus Relief Fund established under the Coronavirus Aid, Relief, 360 and Economic Security Act, P.L. 116-136, and (II) the 2021 Earned 361 Income Tax Credit enhancement program from funding allocated to the 362 state pursuant to Section 9901 of Subtitle M of Title IX of the American 363 Rescue Plan Act of 2021, P.L. 117-2; 364 (xxxi) For the taxable year commencing January 1, 2023, and each
- (xxxi) For the taxable year commencing January 1, 2023, and each taxable year thereafter, for a taxpayer licensed under the provisions of chapter 420f or 420h, the amount of ordinary and necessary expenses that would be eligible to be claimed as a deduction for federal income tax purposes under Section 162(a) of the Internal Revenue Code but that are disallowed under Section 280E of the Internal Revenue Code because marijuana is a controlled substance under the federal Controlled Substance Act;
 - (xxxii) To the extent properly includable in gross income for federal income tax purposes, for the taxable year commencing on or after January 1, 2025, and each taxable year thereafter, any common stock received by the taxpayer during the taxable year under a share plan, as defined in section 12-217ss;

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- (xxxiii) To the extent properly includable in gross income for federal income tax purposes, the amount of any student loan reimbursement payment received by a taxpayer pursuant to section 10a-19m; and
- 380 (xxxiv) Contributions to an ABLE account established pursuant to 381 sections 3-39k to 3-39q, inclusive, not to exceed five thousand dollars for 382 each individual taxpayer or ten thousand dollars for taxpayers filing a 383 joint return.
- 384 (xxxv) To the extent properly includable in gross income for federal 385 income tax purposes, the amount of any payment received pursuant to 386 subsection (c) of section 1 of this act.

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Sec. 3. (*Effective from passage*) The sum of five hundred thousand dollars is appropriated to the Comptroller from the General Fund, for the fiscal year ending June 30, 2024, and the sum of five hundred thousand dollars is appropriated to the Comptroller from the General Fund, for the fiscal year ending June 30, 2025, for deposit in the Fallen Officer Fund established pursuant to section 1 of this act.

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 taxable years commencing on or after January 1, 2024	12-701(a)(20)(B)
Sec. 3	from passage	New section

Statement of Purpose:

To establish a Fallen Officer Fund to provide payments to the surviving family of a police officer killed in the line of duty.

[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.]

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