



## 101ST GENERAL ASSEMBLY

### State of Illinois

2019 and 2020

HB4052

Introduced 1/13/2020, by Rep. Stephanie A. Kifowit

#### SYNOPSIS AS INTRODUCED:

20 ILCS 2805/37

Amends the Department of Veterans' Affairs Act. Allows specified actions to be performed by the designee of the Director of Veterans' Affairs. Provides that the Illinois Joining Forces Foundation shall (currently, may) be assisted in carrying out its functions by Department of Veterans' Affairs personnel, including legal professionals. Requires the Foundation's audit to be included in the Department's audit and to be prepared by the Department.

LRB101 16421 CPF 65800 b

FISCAL NOTE ACT  
MAY APPLY

A BILL FOR

1 AN ACT concerning State government.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The Department of Veterans' Affairs Act is  
5 amended by changing Section 37 as follows:

6 (20 ILCS 2805/37)

7 Sec. 37. Illinois Joining Forces Foundation.

8 (a) The General Assembly finds that navigating the "sea of  
9 goodwill" for those who serve in uniform is one of the greatest  
10 challenges that transitioning veterans face; as a result, they  
11 risk being unable to access many of the federal, State, and  
12 non-profit resources available to them. Recognizing this  
13 problem, the Department of Veterans' Affairs and the Department  
14 of Military Affairs acted to establish the Illinois Joining  
15 Forces initiative, a public-private network of military and  
16 veteran-serving organizations that are working together, in  
17 person and online, to create a no-wrong-door system of support  
18 for the State's military and veteran communities. Illinois  
19 Joining Forces is a nation-leading model, awarded by the U.S.  
20 Department of Veterans Affairs and the National Association of  
21 State Directors of Veterans Affairs for its groundbreaking work  
22 in creating smarter, collaborative community support for those  
23 in uniform, past and present. The foundation created by this

1 amendatory Act of the 98th General Assembly will serve to  
2 ensure the long-term sustainability of Illinois Joining  
3 Forces, which is critically important for the support of the  
4 State's military and veteran communities.

5 (b) The Illinois Joining Forces Foundation shall benefit  
6 service members, veterans, and their families by:

7 (1) convening military and veteran support  
8 organizations, through Illinois Joining Forces working  
9 groups, to build cross-sector relationships and mutual  
10 awareness;

11 (2) providing policy recommendations through Illinois  
12 Joining Forces member working groups to the Illinois  
13 Veterans' Advisory Council;

14 (3) facilitating the transfer of information and  
15 knowledge among Illinois Joining Forces member  
16 organizations;

17 (4) maintaining and continuing to build the  
18 no-wrong-door online navigation platform;

19 (5) educating Illinois Joining Forces members and  
20 other community providers regarding military and veteran  
21 culture and needs, thus improving the collective capacity  
22 of the support system; and

23 (6) outreaching directly to service members, veterans,  
24 and their families regarding the no-wrong-door system that  
25 Illinois Joining Forces provides to them.

26 (c) For the purpose of this Section, "veterans service

1 organization" means an organization that meets all of the  
2 following criteria:

3 (1) The organization is formed by and for United States  
4 military veterans.

5 (2) The organization is chartered by the United States  
6 Congress and incorporated in the State of Illinois.

7 (3) The organization has maintained a State  
8 headquarters office in Illinois for the 10-year period  
9 immediately preceding the effective date of this  
10 amendatory Act of the 98th General Assembly.

11 (4) The organization maintains at least one office in  
12 this State, staffed by a veterans service officer.

13 (5) The organization is capable of preparing a power of  
14 attorney for a veteran and processing claims for veterans  
15 services.

16 (6) The organization is not funded by the State of  
17 Illinois or by any county in this State.

18 (d) The General Assembly authorizes the Department of  
19 Veterans' Affairs, in accordance with Section 10 of the State  
20 Agency Entity Creation Act, to create the Illinois Joining  
21 Forces Foundation as a not-for-profit foundation. The  
22 Department shall file articles of incorporation as required  
23 under the General Not For Profit Corporation Act of 1986 to  
24 create the Foundation. The Foundation's Board of Directors  
25 shall be appointed as follows: one member appointed by the  
26 Governor; one member appointed by the President of the Senate;

1 one member appointed by the Minority Leader of the Senate; one  
2 member appointed by the Speaker of the House of  
3 Representatives; one member appointed by the Minority Leader of  
4 the House of Representatives; and all of the members of the  
5 Illinois Joining Forces Executive Committee, who shall be  
6 appointed by the Director of Veterans' Affairs or the  
7 Director's designee. In addition to any veterans service  
8 organization otherwise represented on the Board of Directors, a  
9 veterans service organization may designate in writing an ex  
10 officio, non-voting participant to the Board of Directors. Any  
11 veterans service organization appointee under this Section  
12 does not count towards a quorum. The Director of Veterans'  
13 Affairs, or the Director's designee, and a designee chosen by  
14 the Director of Military Affairs who is a senior management  
15 official of the Department of Military Affairs with the  
16 authority to make decisions on behalf of the agency shall serve  
17 as members of the Foundation's Board of Directors. Board of  
18 Director appointments shall be for 2-year terms. Vacancies  
19 shall be filled by the official who made the recommendation for  
20 the vacated appointment. No member of the Board of Directors  
21 may receive compensation for his or her services to the  
22 Foundation. Upon appointment, the Board of Directors, as  
23 members of a public entity, shall be represented and  
24 indemnified pursuant to the requirements of the State Employee  
25 Indemnification Act.

26 (e) The purposes of the Foundation are to: promote,

1 support, assist, and sustain Illinois Joining Forces  
2 operations; solicit and accept grants and private donations and  
3 disburse them for the stated intent of the Foundation or the  
4 private donor; solicit and generate public and private funding  
5 and donations that assist in enhancing the Illinois Joining  
6 Forces mission, services, programs, and operations; and engage  
7 generally in other lawful endeavors consistent with the  
8 foregoing purposes. The foundation shall operate within the  
9 provisions of the General Not For Profit Corporation Act of  
10 1986.

11 (f) As soon as practicable after the Foundation is created,  
12 the Board of Directors shall meet, organize, and designate, by  
13 majority vote, a chairperson, a treasurer, a secretary, and any  
14 additional officers that may be needed to carry out the  
15 activities of the Foundation and shall adopt bylaws of the  
16 Foundation. The Department of Veterans' Affairs, in  
17 consultation with the Department of Military Affairs, may adopt  
18 other rules deemed necessary to govern Foundation procedures.

19 (g) The Foundation may request and accept gifts, grants,  
20 donations, or bequests from the federal government or its  
21 agencies or officers or from any person, firm, or corporation,  
22 and may expend receipts on activities that it considers  
23 suitable to the performance of its duties under this Section  
24 and consistent with any requirement of the grant, gift,  
25 donation, or bequest. Funds collected by the Foundation shall  
26 be considered private funds and shall be held in an appropriate

1 account outside of the State treasury. Private funds collected  
2 by the Foundation are not subject to the Public Funds  
3 Investment Act. The treasurer of the Foundation shall be the  
4 custodian of all Foundation funds. The treasurer shall be  
5 required to obtain a fidelity or surety bond on satisfactory  
6 terms and in sufficient amounts to protect the interests of the  
7 Foundation, the cost of which shall be reimbursed by the  
8 Foundation. The Foundation and its officers shall be  
9 responsible for the approval of the recording of receipts,  
10 approval of payments, and the proper filing of required  
11 reports. The Foundation may be assisted in carrying out its  
12 functions by Department of Military Affairs personnel and shall  
13 be assisted in carrying out its functions by Department of  
14 Veterans' Affairs personnel, including, but not limited to,  
15 legal professionals. The Department of Military Affairs and the  
16 Department of Veterans' Affairs shall provide reasonable  
17 assistance to the Foundation to achieve the purposes of the  
18 Foundation as determined by the respective Directors. The  
19 Foundation shall cooperate fully with the boards, commissions,  
20 agencies, departments, and institutions of the State. The funds  
21 held and made available by the Illinois Joining Forces  
22 Foundation shall be subject to financial and compliance audits  
23 in accordance with the Illinois State Auditing Act. The  
24 Foundation's audit shall be included in the Department of  
25 Veterans' Affairs audit and shall be prepared by the Department  
26 of Veterans' Affairs. The Foundation shall not have any power

1 of eminent domain. The Foundation shall not construct or make  
2 any permanent improvements to any real property.

3 (h) The Foundation must provide a written notice to any  
4 entity providing a gift, grant, donation, or bequest to the  
5 Foundation that the Foundation is not subject to the provisions  
6 of the Public Funds Investment Act, which Act places  
7 limitations on the types of securities in which a public agency  
8 may invest public funds.

9 (i) Notwithstanding any law to the contrary, the Foundation  
10 is not eligible for any grant administered or funded by the  
11 Department of Veterans' Affairs or the Department of Military  
12 Affairs.

13 (Source: P.A. 100-10, eff. 6-30-17.)