

HB2369



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

HB2369

Introduced 2/17/2021, 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.

LRB102 11696 RAM 17030 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
14 Department of Military Affairs acted to establish the Illinois
15 Joining Forces initiative, a public-private network of
16 military and veteran-serving organizations that are working
17 together, in person and online, to create a no-wrong-door
18 system of support for the State's military and veteran
19 communities. Illinois Joining Forces is a nation-leading
20 model, awarded by the U.S. Department of Veterans Affairs and
21 the National Association of State Directors of Veterans
22 Affairs for its groundbreaking work in creating smarter,
23 collaborative community support for those in uniform, past and

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

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

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

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

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

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

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

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

1 (c) For the purpose of this Section, "veterans service
2 organization" means an organization that meets all of the
3 following criteria:

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

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

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

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

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

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

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

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

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

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

21 (g) The Foundation may request and accept gifts, grants,
22 donations, or bequests from the federal government or its
23 agencies or officers or from any person, firm, or corporation,
24 and may expend receipts on activities that it considers
25 suitable to the performance of its duties under this Section
26 and consistent with any requirement of the grant, gift,

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

1 Department of Veterans' Affairs audit and shall be prepared by
2 the Department of Veterans' Affairs. The Foundation shall not
3 have any power of eminent domain. The Foundation shall not
4 construct or make any permanent improvements to any real
5 property.

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

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

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