

1 AN ACT concerning veterans.

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

4 Section 5. The Counties Code is amended by changing
5 Section 5-2006 as follows:

6 (55 ILCS 5/5-2006) (from Ch. 34, par. 5-2006)

7 Sec. 5-2006. Tax for Veterans Assistance Commission
8 ~~veterans assistance commission~~. The county board of each
9 county having a population of less than 3 million in which
10 there is a Veterans Assistance Commission as provided in
11 Section 9 of the Military Veterans Assistance Act may levy a
12 tax of not to exceed .03% of the assessed value annually on all
13 taxable property of the county, for the purpose of providing
14 assistance to military veterans and their families pursuant to
15 such Act. Whenever not less than 10% of the electors of the
16 county petition the county board to levy the tax at not to
17 exceed .04% of the assessed value, the county board shall
18 certify the proposition to the proper election officials who
19 shall submit the proposition at the next general election in
20 accordance with the general election law. If a majority of the
21 electors vote in favor of the proposition, the county board
22 may, annually, levy the tax as authorized. The proceeds of any
23 tax so levied shall be used exclusively for the assistance

1 purposes authorized thereunder, and a portion thereof may be
2 expended for the salaries or expenses of any officers or
3 employees of the Veterans Assistance Commission or for any
4 other expenses incident to the administration of such
5 assistance.

6 The tax shall be separate from the ~~in addition to all other~~
7 ~~taxes which the county is authorized to~~ levy on the aggregate
8 valuation of the property within the county and shall not be
9 included in any tax limitation of the rate upon which taxes are
10 required to be extended, but shall be excluded therefrom and
11 in addition thereto. The tax shall be levied and collected in
12 like manner as the general taxes of the county, and, when
13 collected, shall be paid into a special fund in the county
14 treasury and used only as herein authorized, or disbursed from
15 the county treasury of a county in which a properly organized
16 Veterans Assistance Commission is authorized under Section
17 3-11008 of this Code.

18 The limitations on tax rates herein provided may be
19 increased or decreased under the referendum provisions of the
20 General Revenue Law of Illinois.

21 If a county has levied the tax herein authorized or
22 otherwise meets the conditions set out in Section 12-21.13 of
23 ~~"the Illinois Public Aid Code"~~, to qualify for State funds to
24 supplement local funds for public purposes under Articles III,
25 IV, V, VI, and VII, and IX of that Code and otherwise meets the
26 conditions set out in Article XII of that Code for receipt of

1 State aid, the Illinois Department of Human Services shall
2 allocate and pay to the county such additional sums as it
3 determines to be necessary to meet the needs of assistance to
4 military veterans and their families in the county and
5 expenses incident to the administration of such assistance.
6 County Veterans Assistance Commissions shall be in charge of
7 the administration of such assistance provided under Articles
8 VI and IX of the Illinois Public Aid Code for military veterans
9 and their families.

10
11 (Source: P.A. 89-507, eff. 7-1-97.)

12 Section 10. The Illinois Public Aid Code is amended by
13 changing Section 2-14 as follows:

14 (305 ILCS 5/2-14) (from Ch. 23, par. 2-14)

15 Sec. 2-14. "Local governmental unit". Every county, city,
16 village, incorporated town or township charged with the duty
17 of providing public aid under Article VI; and County Veterans
18 Assistance Commissions providing general assistance to
19 ~~indigent-war~~ veterans and their families under Section
20 12-21.13 of Article XII.

21 However, should any Section of this Code impose the
22 obligation of providing medical assistance to persons who are
23 non-residents of the State of Illinois upon a local
24 governmental unit, the term "local governmental unit" shall

1 not include townships. In such case the obligation for
2 providing medical assistance to non-residents which would
3 otherwise be the duty of a township shall become the
4 obligation of the Department of Healthcare and Family
5 Services.

6 (Source: P.A. 95-331, eff. 8-21-07.)

7 Section 15. The Military Veterans Assistance Act is
8 amended by changing Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, and 10
9 as follows:

10 (330 ILCS 45/1) (from Ch. 23, par. 3081)

11 Sec. 1. Definitions. As used in this Act:

12 "Veteran service organization" means a post, ship, camp,
13 chapter, or detachment of a congressionally chartered or state
14 chartered veteran service organization.

15 ~~The term "Administrator Overseer~~ of military veterans
16 assistance" means the commanders of the various veteran
17 service organizations, the superintendent of a County Veterans
18 Assistance Commission, or other ~~, as used in this Act, shall be~~
19 ~~construed to mean all~~ persons whose duty it is, under the
20 existing statutes, to care for, relieve or maintain, wholly or
21 in part, any person who may be entitled to such assistance
22 under the statutes of the State of Illinois. This Act shall not
23 infringe upon the mandated powers and authorities vested in
24 the Illinois Department of Veterans' Affairs.

1 (Source: P.A. 87-796.)

2 (330 ILCS 45/2) (from Ch. 23, par. 3082)

3 Sec. 2. For the just, necessary, and needed assistance and
4 services ~~assistance~~ of military veterans, who served in the
5 Armed Forces of the United States and did not receive a bad
6 conduct or dishonorable discharge ~~, whose last discharge from~~
7 ~~the service was honorable~~ to be eligible for assistance, their
8 families, and the families of deceased veterans with service
9 as described in this Section who need assistance and services.

10 (1) The supervisor of general assistance or the county
11 board shall provide such sums of money as may be just and
12 necessary to be drawn by the commander, quartermaster or
13 commandant of any ~~post, ship, camp, chapter or detachment~~
14 ~~of any congressionally chartered or state chartered~~
15 veterans service organization, in the city or town, or the
16 superintendent of any Veterans' Assistance Commission of
17 the county, upon the recommendation of the assistance
18 committee of the ~~post, ship, camp, chapter or~~ Veterans'
19 Assistance Commission.

20 (A) Funding for Veterans Assistance Commissions
21 may be derived from 3 sources, if applicable:

22 (i) a tax levied under Section 5-2006 of the
23 Counties Code and Section 12-21.13 of the Illinois
24 Public Aid Code;

25 (ii) funds from the county general corporate

1 fund; and

2 (iii) State funds from the Department of Human
3 Services.

4 (B) The minimum amount to be provided annually to
5 Veterans Assistance Commissions is provided in Section
6 12-21.13 of the Illinois Public Aid Code, unless the
7 delegates of the County Veterans Assistance Commission
8 determine that a lesser amount covers the just and
9 necessary sums.

10 (2) If any supervisor of general assistance or county
11 board fails or refuses after such recommendation to
12 provide ~~any~~ just and necessary sums of money for such
13 assistance, then the veteran service organization
14 ~~commander, post, chapter, or detachment~~ or the
15 superintendent of any Veterans' Assistance Commission
16 located in the district of such supervisor of general
17 assistance or such county board shall apply to the circuit
18 court of the district or county for relief by mandamus
19 upon the supervisor of general assistance or county board
20 requiring him, her or it to pay, or to appropriate and pay
21 such sums of money, and upon proof made of the justice and
22 necessity of the claim, the circuit court shall grant the
23 sums so requested ~~such assistance.~~

24 (3) Such sums of money shall be drawn in the manner now
25 provided under Section 5-2006 of the Counties Code and
26 Section 12-21.13 of the Illinois Public Aid Code ~~by law~~

1 ~~for the assistance of the poor.~~ Orders of commanders,
2 quartermasters, commandants, or superintendents of
3 Veterans' Assistance Commissions shall be proper warrants
4 ~~vouchers~~ for the expenditure of such sums of money.

5 (Source: P.A. 87-796.)

6 (330 ILCS 45/3) (from Ch. 23, par. 3083)

7 Sec. 3. In case there is no veteran service ~~post or camp of~~
8 ~~a military veterans~~ organization, in any town in which it is
9 necessary that such assistance as provided in Section 2 should
10 be granted, the administrator ~~overseer~~ of military veterans
11 assistance shall accept and pay the orders drawn, as
12 hereinbefore provided by the commander, quartermaster or
13 commandant of any veteran service organization ~~post or camp of~~
14 ~~a military veterans organization~~, upon the recommendation of
15 an assistance committee, who shall be residents of the said
16 town in which the assistance may be furnished.

17 (Source: P.A. 87-796.)

18 (330 ILCS 45/4) (from Ch. 23, par. 3084)

19 Sec. 4. Upon the taking effect of this Act, the commander
20 of any veteran service organization, or in a county in which a
21 County Veterans Assistance Commission is properly created ~~post~~
22 ~~or camp of a military veterans organization~~, which shall
23 undertake the assistance of military veterans and their
24 families, as hereinbefore provided, before the acts of the

1 commander, quartermaster or commandant shall be operative in
2 any city or town, shall file with the city clerk of such city
3 or town clerk of such town, or administrator ~~overseer~~ of
4 military veterans assistance of such town or county, a notice
5 that said veteran service organization ~~post, camp, chapter or~~
6 ~~detachment~~ intends to undertake such assistance as is provided
7 by this Act, and such notice shall contain the names of the
8 assistance committee of the veteran service organization ~~post,~~
9 ~~camp, chapter or detachment~~ in such city or town, and the
10 commander and other officers of said veteran service
11 organization ~~post, camp, chapter or detachment~~. And the
12 commander of the veteran service organization ~~post, camp,~~
13 ~~chapter or detachment~~ shall annually thereafter, during the
14 month of October, file a similar notice with the city or town
15 clerk, or the administrator ~~overseer~~ of military veterans
16 assistance, also a detailed statement of the amount of
17 assistance furnished during the preceding year, with the names
18 of all persons to whom such assistance shall have been
19 furnished, together with a brief statement in such case from
20 the assistance committee upon whose recommendation the orders
21 were drawn. Any person who fails or neglects so to do at the
22 time required by this Act shall be guilty of a petty offense
23 and fined \$250 to be recovered in the name of the county in the
24 circuit court.

25 (Source: P.A. 87-796.)

1 (330 ILCS 45/5) (from Ch. 23, par. 3085)

2 Sec. 5. The auditing board of any city or town or county
3 auditor, or the administrator ~~overseer~~ of military veterans
4 assistance of any city, town, or county, which shall be the
5 superintendent of any properly organized Veterans Assistance
6 Commission, may require of the commander, quartermaster of any
7 veteran service organization, or superintendent of any
8 properly organized Veterans Assistance Commission ~~or~~
9 ~~detachment of any post or camp of a military veterans~~
10 ~~organization~~, undertaking such assistance in any city or town,
11 a bond with sufficient and satisfactory sureties for the
12 faithful and honest discharge of their duties under this Act.

13 (Source: P.A. 87-796.)

14 (330 ILCS 45/6) (from Ch. 23, par. 3086)

15 Sec. 6. ~~Overseers of military veterans assistance are~~
16 ~~hereby prohibited from sending military veterans (or their~~
17 ~~families or the families of those deceased) to any almshouse~~
18 ~~(or orphan asylum) without the full concurrence and consent of~~
19 ~~the commander and assistance committee of the post or camp of a~~
20 ~~military veterans organization having jurisdiction as provided~~
21 ~~in Sections 2 and 3 of this Act.~~ Military veterans with
22 families and the families of deceased veterans, shall,
23 whenever practicable, be provided for and assisted at their
24 homes in such city or town in which they shall have a
25 residence, in the manner provided in Sections 2 and 3 of this

1 Act. ~~Needy veterans or veterans with disabilities of the~~
2 ~~classes specified in Section 2 of this Act, who are not~~
3 ~~mentally ill, and who have no families or friends with which~~
4 ~~they may be domiciled, may be sent to any veterans home. Any~~
5 ~~less fortunate veteran of either of the classes specified in~~
6 ~~Section 2 of this Act or any member of the family of any living~~
7 ~~or deceased veteran of said classes, who may be mentally ill,~~
8 ~~shall, upon the recommendation of the commander and assistance~~
9 ~~committee of such post or camp of a military veterans~~
10 ~~organization, within the jurisdiction of which the case may~~
11 ~~occur, be sent to any mental health facility and cared for as~~
12 ~~provided for indigent persons who are mentally ill.~~

13 (Source: P.A. 99-143, eff. 7-27-15.)

14 (330 ILCS 45/7) (from Ch. 23, par. 3087)

15 Sec. 7. In case there shall be within the limits of any
16 city or town more than one veteran service organization ~~post~~
17 ~~or camp of military veterans organizations~~, it shall be the
18 duty of the commander of each veteran service organization
19 ~~post, camp, chapter or detachment~~ within such limits, to send
20 to the commander of every other veteran service organization
21 ~~post, camp, chapter or detachment~~, as the case may be, within
22 said limits, on the first day of each month, a written list of
23 the names of all persons to whom assistance has been granted
24 during the preceding month, under the provisions of this Act.

25 (Source: P.A. 87-796.)

1 (330 ILCS 45/8) (from Ch. 23, par. 3088)

2 Sec. 8. The commander of any veteran service organization
3 ~~post or camp of a military veterans organization,~~
4 ~~congressionally chartered or state chartered commander,~~ or the
5 superintendent of any county Veterans' Assistance Commission
6 of Illinois shall annually report to the Governor, on or
7 before the first day of January of each year, such portions of
8 the transactions of the aforementioned veteran service
9 organization ~~veterans' organizations~~ relating thereto as the
10 commander or superintendent ~~he~~ may deem to be of interest to
11 that organization and the people of the State.

12 (Source: P.A. 87-796.)

13 (330 ILCS 45/9) (from Ch. 23, par. 3089)

14 Sec. 9. Veterans Assistance Commission.

15 (a) In counties having 2 or more veteran service
16 organizations ~~posts, camps, chapters or detachments of~~
17 ~~military veterans organizations~~ as may be recognized by law,
18 the veteran service organizations may come together to form a
19 ~~a central assistance committee may be organized to be known as~~
20 ~~the~~ Veterans Assistance Commission of such county. The
21 Veterans Assistance Commission of such county shall act as the
22 central service office for all veterans and their families and
23 for the families of deceased veterans. The Commission shall be
24 composed of delegates and alternates from a majority of such

1 veteran service organizations ~~posts, camps, units, and~~
2 ~~chapters or ship~~ selected annually as determined by each
3 veteran service organization ~~post, ship, camp, or chapter.~~
4 When so organized a Commission ~~commission~~ shall be clothed
5 with all the powers and charged with all the duties
6 theretofore devolving upon the different veteran service
7 organizations within the county ~~posts and chapters as provided~~
8 ~~in Section 2.~~

9 (1) ~~Every Beginning on January 1, 2017, and every~~
10 January 1 ~~thereafter~~, all Veterans Assistance Commissions
11 shall publish a notice to each veteran service
12 organization ~~post, camp, unit, chapter, ship, or~~
13 ~~detachment of a military veterans organization~~ within
14 their respective county calling on them to select
15 delegates and alternates for that county's Veterans
16 Assistance Commission by the methods provided in this
17 subsection. The Veterans Assistance Commissions shall
18 allow each veteran service organization until March 1 to
19 respond, at which time those delegates and alternates
20 shall begin their term of office ~~post, camp, unit,~~
21 ~~chapter, ship, or detachment of a military veterans~~
22 ~~organization 60 days to respond.~~

23 (2) Except as provided in paragraph (3), veteran
24 service organizations ~~posts, camps, units, chapters,~~
25 ~~ships, or detachments of a military veterans organization~~
26 shall be permitted to select one delegate and one

1 alternate.

2 (3) In counties with 5 or more veteran service
3 organizations ~~posts, camps, units, chapters, ships, or~~
4 ~~detachments of the same military veterans organization,~~
5 all the constituent veteran service organizations ~~posts,~~
6 ~~camps, units, chapters, ships, or detachments of such~~
7 ~~military organizations~~ shall be permitted to select a
8 single delegate and single alternate to represent that
9 veteran service organization ~~military veterans~~
10 ~~organization~~ instead of each constituent veteran service
11 organization ~~post, camp, unit, chapter, ship, or~~
12 ~~detachment~~ selecting one delegate and one alternate. For
13 the purposes of meeting the majority requirement of this
14 subsection, when the constituent groups of a veteran
15 service organization ~~military veterans organization~~ choose
16 to select a single delegate and single alternate, the
17 single delegate and single alternate shall represent the
18 aggregate percentage of the constituent groups.

19 (4) If a veteran service organization ~~post, camp,~~
20 ~~unit, chapter, ship, or detachment of a military veterans~~
21 ~~organization~~ serves more than one county, then it shall be
22 permitted to select one delegate and one alternate for the
23 Veterans Assistance Commission in each county in which at
24 least 25% of its members reside.

25 (b) The Commission superintendent ~~and the president or~~
26 ~~chairman of the county board, or some other county officer~~

1 ~~appointed by him,~~ shall have ~~general~~ oversight of the
2 distribution of all moneys and supplies appropriated ~~by the~~
3 ~~county~~ for the benefit of military veterans and their
4 families, subject to such rules, regulations, administrative
5 procedures or audit reviews as are necessary as approved by
6 the Commission ~~county board~~ to carry out the spirit and intent
7 of this Act. No warrant authorized under this Act may be issued
8 for the payment of money without the presentation of an
9 itemized statement or claim, approved by the superintendent of
10 the Commission.

11 ~~If general assistance funds are allocated to a county for~~
12 ~~assistance to military veterans and their families as provided~~
13 ~~in the Illinois Public Aid Code, the administration of such~~
14 ~~funds and of county tax funds levied for such purpose as~~
15 ~~provided in Section 5-2006 of the Counties Code shall be~~
16 ~~subject to the supervision of the Department of Human Services~~
17 ~~in accordance with the provisions of the Illinois Public Aid~~
18 ~~Code.~~

19 (c) The Veterans Assistance Commission shall be in charge
20 of the administration of any benefits provided under Articles
21 VI and IX of the Illinois Public Aid Code for military veterans
22 and their families. The Veterans Assistance Commission shall
23 represent veterans in their application for benefits through
24 State and federal agencies, including representing veterans in
25 their appeals of adverse decisions. The superintendent of the
26 Veterans Assistance Commission and its employees must comply

1 with the procedures and regulations adopted by the Veterans
2 Assistance Commission and the regulations of the Department of
3 Human Services. To further the intent of this Act of assisting
4 military veterans, this Act is to be construed so that the
5 Veterans Assistance Commission shall provide needed services
6 to eligible veterans.

7 (Source: P.A. 102-484, eff. 8-20-21.)

8 (330 ILCS 45/10) (from Ch. 23, par. 3090)

9 Sec. 10. The executive powers of the Commission ~~commission~~
10 shall be vested in a superintendent elected by the Commission
11 ~~commission from among those~~ who served honorably in the armed
12 forces of the United States. The ~~superintendent,~~ designated
13 superintendent of veterans assistance ~~Superintendent of~~
14 ~~Veterans Assistance~~ of the county, shall, under the direction
15 of the Commission ~~commission~~, have charge of and maintain an
16 office in the county building or a ~~other~~ central location
17 within the county, to be used solely by the Commission
18 ~~commission~~ for providing the just, necessary, and needed
19 services mandated by law ~~carrying on its assistance work~~. The
20 county shall provide for the funding of the office and furnish
21 all necessary supplies, including telephone, printing,
22 stationery, and postage therefor.

23 The county board shall, in any county where a Veterans
24 Assistance Commission is organized, in addition to sums
25 appropriated for these just, necessary, and needed services as

1 provided by law and approved by the Commission ~~assistance and~~
2 ~~emergency assistance purposes~~ under this Act, appropriate such
3 additional sums, upon recommendation of the Veterans
4 Assistance Commission ~~and as approved by the county board~~, to
5 properly compensate the officers and employees required to
6 administer such assistance. ~~Such county board approval shall~~
7 ~~be based upon recognized and established salary guidelines~~
8 ~~developed by the county and used by the county to compensate~~
9 ~~county employees. If the county does not have established~~
10 ~~employee salary guidelines, the county board shall provide~~
11 ~~funds to the commission to compensate the superintendent and~~
12 ~~his employees in a just manner.~~ The county board shall also
13 provide funds to the Commission ~~commission~~ to reimburse the
14 superintendent, officers, delegates and employees for certain
15 expenses which are approved by the Commission ~~commission~~. The
16 superintendent and other employees shall be employees of the
17 Veterans Assistance Commission, and no provision in this
18 Section or elsewhere in this Act shall be construed to mean
19 that they are employees of the county.

20 Superintendents, subject to rules formulated by the
21 Commission ~~commission~~, shall select, as far as possible,
22 Veteran Service Officers ~~secretaries~~ and other employees from
23 among ~~honorably discharged~~ military veterans who did not
24 receive a bad conduct or dishonorable discharge ~~as defined in~~
25 ~~Section 2~~, or their ~~surviving~~ spouses.

26 In a county with less than 2,000,000 inhabitants, the

1 superintendent may, in conformance with subsection (f) of
2 Section 3-9005 of the Counties Code, request legal assistance
3 from the State's Attorney serving the county in which the
4 Veterans Assistance Commission is located.

5 Superintendents of all counties subject to this Act, when
6 required by the Commission, ~~commission~~, shall give bond in the
7 sum of \$2,000 for the faithful performance of their duties.

8 All persons elected or selected to fill positions provided
9 for in this Section shall be exempt from the operation and
10 provisions of any civil service act or laws of this State, and
11 the secretary of the Commission ~~commission~~ shall be appointed
12 by the superintendent. ~~However, if "The Illinois Public Aid~~
13 ~~Code", as amended, becomes applicable in any county, the~~
14 ~~Department of Human Services may exercise the powers therein~~
15 ~~designated in relation to employees engaged in the~~
16 ~~administration of assistance under this Act.~~

17 (Source: P.A. 102-56, eff. 7-9-21.)

18 (330 ILCS 45/11 rep.)

19 Section 20. The Military Veterans Assistance Act is
20 amended by repealing Section 11.