



Rep. Stephanie A. Kifowit

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1 AMENDMENT TO HOUSE BILL 5184

2 AMENDMENT NO. _____. Amend House Bill 5184 by replacing
3 everything after the enacting clause with the following:

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

1 exceed .04% of the assessed value, the county board shall
2 certify the proposition to the proper election officials who
3 shall submit the proposition at the next general election in
4 accordance with the general election law. If a majority of the
5 electors vote in favor of the proposition, the county board
6 may, annually, levy the tax as authorized. The proceeds of any
7 tax so levied shall be used exclusively for the assistance
8 purposes authorized thereunder, and a portion thereof may be
9 expended for the salaries or expenses of any officers or
10 employees of the Veterans Assistance Commission or for any
11 other expenses incident to the administration of such
12 assistance.

13 The tax shall be separate from the ~~in addition to all other~~
14 ~~taxes which the county is authorized to~~ levy on the aggregate
15 valuation of the property within the county and shall not be
16 included in any tax limitation of the rate upon which taxes are
17 required to be extended, but shall be excluded therefrom and
18 in addition thereto. The tax shall be levied and collected in
19 like manner as the general taxes of the county, and, when
20 collected, shall be paid into a special fund in the county
21 treasury and used only as herein authorized, or disbursed from
22 the county treasury of a county in which a properly organized
23 Veterans Assistance Commission is authorized under Section
24 3-11008 of this Code.

25 The limitations on tax rates herein provided may be
26 increased or decreased under the referendum provisions of the

1 General Revenue Law of Illinois.

2 If a county has levied the tax herein authorized or
3 otherwise meets the conditions set out in Section 12-21.13 of
4 "the Illinois Public Aid Code", to qualify for State funds to
5 supplement local funds for public purposes under Articles III,
6 IV, V, VI, and VII, and IX of that Code and otherwise meets the
7 conditions set out in Article XII of that Code for receipt of
8 State aid, the Illinois Department of Human Services shall
9 allocate and pay to the county such additional sums as it
10 determines to be necessary to meet the needs of assistance to
11 military veterans and their families in the county and
12 expenses incident to the administration of such assistance.
13 County Veterans Assistance Commissions shall be in charge of
14 the administration of such assistance provided under Articles
15 VI and IX of the Illinois Public Aid Code for military veterans
16 and their families.

17

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

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

21 (305 ILCS 5/2-14) (from Ch. 23, par. 2-14)

22 Sec. 2-14. "Local governmental unit". Every county, city,
23 village, incorporated town or township charged with the duty
24 of providing public aid under Article VI; and County Veterans

1 Assistance Commissions providing general assistance to
2 ~~indigent-war~~ veterans and their families under Section
3 12-21.13 of Article XII.

4 However, should any Section of this Code impose the
5 obligation of providing medical assistance to persons who are
6 non-residents of the State of Illinois upon a local
7 governmental unit, the term "local governmental unit" shall
8 not include townships. In such case the obligation for
9 providing medical assistance to non-residents which would
10 otherwise be the duty of a township shall become the
11 obligation of the Department of Healthcare and Family
12 Services.

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

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

17 (330 ILCS 45/1) (from Ch. 23, par. 3081)

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

19 "Veteran service organization" means a post, ship, camp,
20 chapter, or detachment of a congressionally chartered or state
21 chartered veteran service organization.

22 ~~The term~~ "Administrator Overseer of military veterans
23 assistance" means the commanders of the various veteran
24 service organizations, the superintendent of a County Veterans

1 ~~Assistance Commission, or other~~ , ~~as used in this Act, shall be~~
2 ~~construed to mean all~~ persons whose duty it is, under the
3 existing statutes, to care for, relieve or maintain, wholly or
4 in part, any person who may be entitled to such assistance
5 under the statutes of the State of Illinois. This Act shall not
6 infringe upon the mandated powers and authorities vested in
7 the Illinois Department of Veterans' Affairs.

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

9 (330 ILCS 45/2) (from Ch. 23, par. 3082)

10 Sec. 2. For the just, necessary, and needed assistance and
11 services ~~assistance~~ of military veterans, who served in the
12 Armed Forces of the United States and did not receive a bad
13 conduct or dishonorable discharge , ~~whose last discharge from~~
14 ~~the service was honorable~~ to be eligible for assistance, their
15 families, and the families of deceased veterans with service
16 as described in this Section who need assistance and services.

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

1 Assistance Commission.

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

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

7 (ii) funds from the county general corporate
8 fund; and

9 (iii) State funds from the Department of Human
10 Services.

11 (B) The minimum amount to be provided annually to
12 Veterans Assistance Commissions is provided in Section
13 12-21.13 of the Illinois Public Aid Code, unless the
14 delegates of the County Veterans Assistance Commission
15 determine that a lesser amount covers the just and
16 necessary sums.

17 (2) If any supervisor of general assistance or county
18 board fails or refuses after such recommendation to
19 provide ~~any~~ just and necessary sums of money for such
20 assistance, then the veteran service organization
21 ~~commander, post, chapter, or detachment~~ or the
22 superintendent of any Veterans' Assistance Commission
23 located in the district of such supervisor of general
24 assistance or such county board shall apply to the circuit
25 court of the district or county for relief by mandamus
26 upon the supervisor of general assistance or county board

1 requiring him, her or it to pay, or to appropriate and pay
2 such sums of money, and upon proof made of the justice and
3 necessity of the claim, the circuit court shall grant the
4 sums so requested ~~such assistance~~.

5 (3) Such sums of money shall be drawn in the manner now
6 provided under Section 5-2006 of the Counties Code and
7 Section 12-21.13 of the Illinois Public Aid Code ~~by law~~
8 ~~for the assistance of the poor~~. Orders of commanders,
9 quartermasters, commandants, or superintendents of
10 Veterans' Assistance Commissions shall be proper warrants
11 ~~vouchers~~ for the expenditure of such sums of money.

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

13 (330 ILCS 45/3) (from Ch. 23, par. 3083)

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

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

1 (330 ILCS 45/4) (from Ch. 23, par. 3084)

2 Sec. 4. Upon the taking effect of this Act, the commander
3 of any veteran service organization, or in a county in which a
4 County Veterans Assistance Commission is properly created ~~post~~
5 ~~or camp of a military veterans organization,~~ which shall
6 undertake the assistance of military veterans and their
7 families, as hereinbefore provided, before the acts of the
8 commander, quartermaster or commandant shall be operative in
9 any city or town, shall file with the city clerk of such city
10 or town clerk of such town, or administrator ~~overseer~~ of
11 military veterans assistance of such town or county, a notice
12 that said veteran service organization ~~post, camp, chapter or~~
13 ~~detachment~~ intends to undertake such assistance as is provided
14 by this Act, and such notice shall contain the names of the
15 assistance committee of the veteran service organization ~~post,~~
16 ~~camp, chapter or detachment~~ in such city or town, and the
17 commander and other officers of said veteran service
18 organization ~~post, camp, chapter or detachment~~. And the
19 commander of the veteran service organization ~~post, camp,~~
20 ~~chapter or detachment~~ shall annually thereafter, during the
21 month of October, file a similar notice with the city or town
22 clerk, or the administrator ~~overseer~~ of military veterans
23 assistance, also a detailed statement of the amount of
24 assistance furnished during the preceding year, with the names
25 of all persons to whom such assistance shall have been
26 furnished, together with a brief statement in such case from

1 the assistance committee upon whose recommendation the orders
2 were drawn. Any person who fails or neglects so to do at the
3 time required by this Act shall be guilty of a petty offense
4 and fined \$250 to be recovered in the name of the county in the
5 circuit court.

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

7 (330 ILCS 45/5) (from Ch. 23, par. 3085)

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

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

20 (330 ILCS 45/6) (from Ch. 23, par. 3086)

21 Sec. 6. ~~Overseers of military veterans assistance are~~
22 ~~hereby prohibited from sending military veterans (or their~~
23 ~~families or the families of those deceased) to any almshouse~~
24 ~~(or orphan asylum) without the full concurrence and consent of~~

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

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

21 (330 ILCS 45/7) (from Ch. 23, par. 3087)

22 Sec. 7. In case there shall be within the limits of any
23 city or town more than one veteran service organization ~~post~~
24 ~~or camp of military veterans organizations,~~ it shall be the
25 duty of the commander of each veteran service organization

1 ~~post, camp, chapter or detachment~~ within such limits, to send
2 to the commander of every other veteran service organization
3 ~~post, camp, chapter or detachment~~, as the case may be, within
4 said limits, on the first day of each month, a written list of
5 the names of all persons to whom assistance has been granted
6 during the preceding month, under the provisions of this Act.

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

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

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

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

20 (330 ILCS 45/9) (from Ch. 23, par. 3089)

21 Sec. 9. Veterans Assistance Commission.

22 (a) In counties having 2 or more veteran service
23 organizations ~~posts, camps, chapters or detachments of~~
24 ~~military veterans organizations~~ as may be recognized by law,

1 the veteran service organizations may come together to form a
2 ~~a central assistance committee may be organized to be known as~~
3 ~~the~~ Veterans Assistance Commission of such county. The
4 Veterans Assistance Commission of such county shall act as the
5 central service office for all veterans and their families and
6 for the families of deceased veterans. The Commission shall be
7 ~~7~~ composed of delegates and alternates from a majority of such
8 veteran service organizations ~~posts, camps, units, and~~
9 ~~chapters or ship~~ selected annually as determined by each
10 veteran service organization ~~post, ship, camp, or chapter.~~
11 When so organized a Commission ~~commission~~ shall be clothed
12 with all the powers and charged with all the duties
13 theretofore devolving upon the different veteran service
14 organizations within the county ~~posts and chapters as provided~~
15 ~~in Section 2.~~

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

1 shall begin their term of office ~~post, camp, unit,~~
2 ~~chapter, ship, or detachment of a military veterans~~
3 ~~organization 60 days to respond.~~

4 (2) Except as provided in paragraph (3), veteran
5 service organizations ~~posts, camps, units, chapters,~~
6 ~~ships, or detachments of a military veterans organization~~
7 shall be permitted to select one delegate and one
8 alternate.

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

26 (4) If a veteran service organization ~~post, camp,~~

1 ~~unit, chapter, ship, or detachment of a military veterans~~
2 ~~organization~~ serves more than one county, then it shall be
3 permitted to select one delegate and one alternate for the
4 Veterans Assistance Commission in each county in which at
5 least 25% of its members reside.

6 (b) The Commission superintendent ~~and the president or~~
7 ~~chairman of the county board, or some other county officer~~
8 ~~appointed by him,~~ shall have ~~general~~ oversight of the
9 distribution of all moneys and supplies appropriated ~~by the~~
10 ~~county~~ for the benefit of military veterans and their
11 families, subject to such rules, regulations, administrative
12 procedures or audit reviews as are necessary as approved by
13 the Commission ~~county board~~ to carry out the spirit and intent
14 of this Act. No warrant authorized under this Act may be issued
15 for the payment of money without the presentation of an
16 itemized statement or claim, approved by the superintendent of
17 the Commission.

18 ~~If general assistance funds are allocated to a county for~~
19 ~~assistance to military veterans and their families as provided~~
20 ~~in the Illinois Public Aid Code, the administration of such~~
21 ~~funds and of county tax funds levied for such purpose as~~
22 ~~provided in Section 5-2006 of the Counties Code shall be~~
23 ~~subject to the supervision of the Department of Human Services~~
24 ~~in accordance with the provisions of the Illinois Public Aid~~
25 ~~Code.~~

26 (c) The Veterans Assistance Commission shall be in charge

1 of the administration of any benefits provided under Articles
2 VI and IX of the Illinois Public Aid Code for military veterans
3 and their families. The Veterans Assistance Commission shall
4 represent veterans in their application for benefits through
5 State and federal agencies, including representing veterans in
6 their appeals of adverse decisions. The superintendent of the
7 Veterans Assistance Commission and its employees must comply
8 with the procedures and regulations adopted by the Veterans
9 Assistance Commission and the regulations of the Department of
10 Human Services. To further the intent of this Act of assisting
11 military veterans, this Act is to be construed so that the
12 Veterans Assistance Commission shall provide needed services
13 to eligible veterans.

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

15 (330 ILCS 45/10) (from Ch. 23, par. 3090)

16 Sec. 10. The executive powers of the Commission ~~commission~~
17 shall be vested in a superintendent elected by the Commission
18 ~~commission from among those~~ who served honorably in the armed
19 forces of the United States. The ~~superintendent,~~ designated
20 superintendent of veterans assistance ~~Superintendent of~~
21 ~~Veterans Assistance~~ of the county, shall, under the direction
22 of the Commission ~~commission~~, have charge of and maintain an
23 office in the county building or a ~~other~~ central location
24 within the county, to be used solely by the Commission
25 ~~commission~~ for providing the just, necessary, and needed

1 ~~services mandated by law carrying on its assistance work.~~ The
2 county shall provide for the funding of the office and furnish
3 all necessary supplies, including telephone, printing,
4 stationery, and postage therefor.

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

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

7 In a county with less than 2,000,000 inhabitants, the
8 superintendent may, in conformance with subsection (f) of
9 Section 3-9005 of the Counties Code, request legal assistance
10 from the State's Attorney serving the county in which the
11 Veterans Assistance Commission is located.

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

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

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

1 Section 20. The Military Veterans Assistance Act is
2 amended by repealing Section 11."