



Sen. Craig Wilcox

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10200HB5184sam001

LRB102 23259 KTG 37633 a

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

26 The limitations on tax rates herein provided may be

1 increased or decreased under the referendum provisions of the  
2 General Revenue Law of Illinois.

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

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

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

22 (305 ILCS 5/2-14) (from Ch. 23, par. 2-14)

23 Sec. 2-14. "Local governmental unit". Every county, city,  
24 village, incorporated town or township charged with the duty

1 of providing public aid under Article VI; and County Veterans  
2 Assistance Commissions providing general assistance to  
3 ~~indigent-war~~ veterans and their families under Section  
4 12-21.13 of Article XII.

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

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

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

18 (330 ILCS 45/1) (from Ch. 23, par. 3081)

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

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

23 ~~The term~~ "Administrator Overseer of military veterans  
24 assistance" means the commanders of the various veteran

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

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

10 (330 ILCS 45/2) (from Ch. 23, par. 3082)

11 Sec. 2. For the just, necessary, and needed assistance and  
12 services ~~assistance~~ of military veterans, who served in the  
13 Armed Forces of the United States and whose last discharge  
14 from the service was honorable or general under honorable  
15 conditions ~~, whose last discharge from the service was~~  
16 ~~honorable~~ to be eligible for assistance, their families, and  
17 the families of deceased veterans with service as described in  
18 this Section who need assistance and services.

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

1 the county, upon the recommendation of the assistance  
2 committee of that veterans service organization or the  
3 ~~post, ship, camp, chapter or~~ Veterans' Assistance  
4 Commission.

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

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

10 (ii) funds from the county general corporate  
11 fund; and

12 (iii) State funds from the Department of Human  
13 Services.

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

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

1 assistance or such county board shall apply to the circuit  
2 court of the district or county for relief by mandamus  
3 upon the supervisor of general assistance or county board  
4 requiring him, her or it to pay, or to appropriate and pay  
5 such sums of money, and upon proof made of the justice and  
6 necessity of the claim, the circuit court shall grant the  
7 sums so requested ~~such assistance~~.

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

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

17 (330 ILCS 45/3) (from Ch. 23, par. 3083)

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

1 an assistance committee, who shall be residents of the said  
2 town in which the assistance may be furnished.

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

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

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



1 month of October, file a similar notice with the city or town  
2 clerk, or the administrator ~~overseer~~ of military veterans  
3 assistance, also a detailed statement of the amount of  
4 assistance furnished during the preceding year, with the names  
5 of all persons to whom such assistance shall have been  
6 furnished, together with a brief statement in such case from  
7 the assistance committee upon whose recommendation the orders  
8 were drawn. Any person who fails or neglects so to do at the  
9 time required by this Act shall be guilty of a petty offense  
10 and fined \$250 to be recovered in the name of the county in the  
11 circuit court.

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

13 (330 ILCS 45/5) (from Ch. 23, par. 3085)

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

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

1 (330 ILCS 45/6) (from Ch. 23, par. 3086)

2 Sec. 6. ~~Overseers of military veterans assistance are~~  
3 ~~hereby prohibited from sending military veterans (or their~~  
4 ~~families or the families of those deceased) to any almshouse~~  
5 ~~(or orphan asylum) without the full concurrence and consent of~~  
6 ~~the commander and assistance committee of the post or camp of a~~  
7 ~~military veterans organization having jurisdiction as provided~~  
8 ~~in Sections 2 and 3 of this Act.~~ Military veterans with  
9 families and the families of deceased veterans, shall,  
10 whenever practicable, be provided for and assisted at their  
11 homes in such city or town in which they shall have a  
12 residence, in the manner provided in Sections 2 and 3 of this  
13 Act. ~~Needy veterans or veterans with disabilities of the~~  
14 ~~classes specified in Section 2 of this Act, who are not~~  
15 ~~mentally ill, and who have no families or friends with which~~  
16 ~~they may be domiciled, may be sent to any veterans home. Any~~  
17 ~~less fortunate veteran of either of the classes specified in~~  
18 ~~Section 2 of this Act or any member of the family of any living~~  
19 ~~or deceased veteran of said classes, who may be mentally ill,~~  
20 ~~shall, upon the recommendation of the commander and assistance~~  
21 ~~committee of such post or camp of a military veterans~~  
22 ~~organization, within the jurisdiction of which the case may~~  
23 ~~occur, be sent to any mental health facility and cared for as~~  
24 ~~provided for indigent persons who are mentally ill.~~

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

1 (330 ILCS 45/7) (from Ch. 23, par. 3087)

2 Sec. 7. In case there shall be within the limits of any  
3 city or town more than one veteran service organization ~~post~~  
4 ~~or camp of military veterans organizations~~, it shall be the  
5 duty of the commander, quartermaster, or commandant of each  
6 veteran service organization ~~post, camp, chapter or detachment~~  
7 within such limits, to send to the commander, quartermaster,  
8 or commandant of every other veteran service organization  
9 ~~post, camp, chapter or detachment~~, as the case may be, within  
10 said limits, on the first day of each month, a written list of  
11 the names of all persons to whom assistance has been granted  
12 during the preceding month, under the provisions of this Act.

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

14 (330 ILCS 45/8) (from Ch. 23, par. 3088)

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

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

2 (330 ILCS 45/9) (from Ch. 23, par. 3089)

3 Sec. 9. Veterans Assistance Commission.

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

22 (1) ~~Every Beginning on January 1, 2017, and every~~  
23 ~~January 1 thereafter,~~ all Veterans Assistance Commissions  
24 shall publish a notice to each veteran service  
25 organization ~~post, camp, unit, chapter, ship, or~~

1 ~~detachment of a military veterans organization~~ within  
2 their respective county calling on them to select  
3 delegates and alternates for that county's Veterans  
4 Assistance Commission by the methods provided in this  
5 subsection. The Veterans Assistance Commissions shall  
6 allow each veteran service organization until March 1 to  
7 respond, at which time those delegates and alternates  
8 shall begin their term of office ~~post, camp, unit,~~  
9 ~~chapter, ship, or detachment of a military veterans~~  
10 ~~organization 60 days to respond.~~

11 (2) Except as provided in paragraph (3), veteran  
12 service organizations ~~posts, camps, units, chapters,~~  
13 ~~ships, or detachments of a military veterans organization~~  
14 shall be permitted to select one delegate and one  
15 alternate.

16 (3) In counties with 5 or more of the same veteran  
17 service organizations ~~posts, camps, units, chapters,~~  
18 ~~ships, or detachments of the same military veterans~~  
19 ~~organization,~~ all the constituent veteran service  
20 organizations ~~posts, camps, units, chapters, ships, or~~  
21 ~~detachments of such military organizations~~ shall be  
22 permitted to select a single delegate and single alternate  
23 to represent that veteran service organization ~~military~~  
24 ~~veterans organization~~ instead of each constituent veteran  
25 service organization ~~post, camp, unit, chapter, ship, or~~  
26 ~~detachment~~ selecting one delegate and one alternate. For

1 the purposes of meeting the majority requirement of this  
2 subsection, when the constituent groups of a veteran  
3 service organization ~~military veterans organization~~ choose  
4 to select a single delegate and single alternate, the  
5 single delegate and single alternate shall represent the  
6 aggregate percentage of the constituent groups.

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

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

25 ~~If general assistance funds are allocated to a county for~~  
26 ~~assistance to military veterans and their families as provided~~

1 ~~in the Illinois Public Aid Code, the administration of such~~  
2 ~~funds and of county tax funds levied for such purpose as~~  
3 ~~provided in Section 5-2006 of the Counties Code shall be~~  
4 ~~subject to the supervision of the Department of Human Services~~  
5 ~~in accordance with the provisions of the Illinois Public Aid~~  
6 ~~Code.~~

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

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

22 (330 ILCS 45/10) (from Ch. 23, par. 3090)

23 Sec. 10. The executive powers of the Commission ~~commission~~  
24 shall be vested in a superintendent elected by the Commission  
25 who received an honorable discharge from ~~commission from among~~

1 ~~those who served in~~ the armed forces of the United States. The  
2 ~~superintendent,~~ designated superintendent of the Veterans  
3 Assistance Commission Superintendent of Veterans Assistance of  
4 the county, shall, under the direction of the Commission  
5 ~~commission,~~ have charge of and maintain an office in the  
6 county building or a other central location within the county,  
7 to be used solely by the Commission ~~commission~~ for providing  
8 the just, necessary, and needed services mandated by law  
9 ~~carrying on its assistance work.~~ The county shall provide for  
10 the funding of the office and furnish all necessary supplies,  
11 including telephone, printing, stationery, and postage  
12 therefor.

13 The county board shall, in any county where a Veterans  
14 Assistance Commission is organized, in addition to sums  
15 appropriated for these just, necessary, and needed services as  
16 provided by law and approved by the Commission ~~assistance and~~  
17 ~~emergency assistance purposes~~ under this Act, appropriate such  
18 additional sums, upon recommendation of the Veterans  
19 Assistance Commission ~~and as approved by the county board,~~ to  
20 properly compensate the officers and employees required to  
21 administer such assistance. ~~Such county board approval shall~~  
22 ~~be based upon recognized and established salary guidelines~~  
23 ~~developed by the county and used by the county to compensate~~  
24 ~~county employees. If the county does not have established~~  
25 ~~employee salary guidelines, the county board shall provide~~  
26 ~~funds to the commission to compensate the superintendent and~~



1 ~~his employees in a just manner.~~ The county board shall also  
2 provide funds to the Commission ~~commission~~ to reimburse the  
3 superintendent, officers, delegates and employees for certain  
4 expenses which are approved by the Commission ~~commission~~. The  
5 superintendent and other employees shall be employees of the  
6 Veterans Assistance Commission, and no provision in this  
7 Section or elsewhere in this Act shall be construed to mean  
8 that they are employees of the county.

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

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

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

23 All persons elected or selected to fill positions provided  
24 for in this Section shall be exempt from the operation and  
25 provisions of any civil service act or laws of this State, and  
26 the secretary of the Commission ~~commission~~ shall be appointed

1 by the superintendent. ~~However, if "The Illinois Public Aid~~  
2 ~~Code", as amended, becomes applicable in any county, the~~  
3 ~~Department of Human Services may exercise the powers therein~~  
4 ~~designated in relation to employees engaged in the~~  
5 ~~administration of assistance under this Act.~~

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

7 (330 ILCS 45/11 rep.)

8 Section 20. The Military Veterans Assistance Act is  
9 amended by repealing Section 11."