

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 Sections 2.01a and 2.04 as follows:

6 (20 ILCS 2805/2.01a) (from Ch. 126 1/2, par. 67.01a)

7 Sec. 2.01a. Members benefits fund; personal property. The
8 Department shall direct the expenditure of all money which has
9 been or may be received by any officer of an Illinois Veterans
10 Home including profit on sales from commissary stores. The
11 money shall be deposited into the members benefits fund and
12 expenditures from the fund shall be made under the direction
13 of the Department for the special comfort, pleasure, and
14 amusement of residents and employees, provided that amounts
15 expended for comfort, pleasure, and amusement of employees
16 shall not exceed the amount of profits derived from sales made
17 to employees by such commissaries, as determined by the
18 Department. The Department may also make expenditures from the
19 fund, subject to approval by the Director of Veterans'
20 Affairs, for recognition and appreciation programs for
21 volunteers who assist the Veterans Homes. Expenditures from
22 the fund may not be used to supplement a shortfall in the
23 ordinary and contingent operating expenses of the Home and

1 shall be expended only for the special comfort, pleasure, and
2 amusement of the residents.

3 The Department shall prepare a quarterly report on all
4 locally-held member's benefits funds from each Illinois
5 Veterans Home. The report shall contain the amount of
6 donations received for each veterans' home, including monetary
7 and nonmonetary items, the expenditures and items dispersed,
8 and the end of quarter balance of the locally-held member's
9 benefits funds. The Department shall submit the quarterly
10 report to the General Assembly and to the Governor and publish
11 the report on its website.

12 Money received as interest and income on funds deposited
13 for residents of an Illinois Veterans Home shall be paid to the
14 individual accounts of the residents. If home residents choose
15 to hold savings accounts or other investments outside the
16 Home, interest or income on the individual savings accounts or
17 investments of residents shall accrue to the individual
18 accounts of the residents.

19 Any money belonging to residents separated by death,
20 discharge, or unauthorized absence from an Illinois Veterans
21 Home, in custody of officers thereof, may, if unclaimed by the
22 resident or the legal representatives thereof for a period of
23 2 years, be expended at the direction of the Department for the
24 purposes and in the manner specified above. Articles of
25 personal property, with the exception of clothing left in the
26 custody of officers, shall, if unclaimed for the period of 2

1 years, be sold and the money disposed of in the same manner.

2 Clothing left at a Home by residents at the time of
3 separation may be used as determined by the Home if unclaimed
4 by the resident or legal representatives thereof within 30
5 days after notification.

6 (Source: P.A. 100-889, eff. 1-1-19.)

7 (20 ILCS 2805/2.04) (from Ch. 126 1/2, par. 67.04)

8 Sec. 2.04. There shall be established in the State
9 Treasury special funds known as (i) the LaSalle Veterans Home
10 Fund, (ii) the Anna Veterans Home Fund, (iii) the Manteno
11 Veterans Home Fund, and (iv) the Quincy Veterans Home Fund.
12 All moneys received by an Illinois Veterans Home from Medicare
13 and from maintenance charges to veterans, spouses, and
14 surviving spouses residing at that Home shall be paid into
15 that Home's Fund. All moneys received from the U.S. Department
16 of Veterans Affairs for patient care shall be transmitted to
17 the Treasurer of the State for deposit in the Veterans Home
18 Fund for the Home in which the veteran resides. Appropriations
19 shall be made from a Fund only for the needs of the Home,
20 including capital improvements, building rehabilitation, and
21 repairs. The Illinois Veterans' Homes Fund shall be the
22 Veterans Home Fund for the Illinois Veterans Home at Chicago.

23 The administrator of each Veterans Home shall establish a
24 locally-held member's benefits fund. The Director may
25 authorize the Veterans Home to conduct limited fundraising in

1 accordance with applicable laws and regulations for which the
2 sole purpose is to benefit the Veterans Home's member's
3 benefits fund. Revenues accruing to an Illinois Veterans Home,
4 including any donations, grants for the operation of the Home,
5 profits from commissary stores, and funds received from any
6 individual or other source, including limited fundraising,
7 shall be deposited into that Home's benefits fund.
8 Expenditures from the benefits funds shall be solely for the
9 special comfort, pleasure, and amusement of residents.
10 Contributors of unsolicited private donations may specify the
11 purpose for which the private donations are to be used.

12 Upon request of the Department, the State's Attorney of
13 the county in which a resident or living former resident of an
14 Illinois Veterans Home who is liable under this Act for
15 payment of sums representing maintenance charges resides shall
16 file an action in a court of competent jurisdiction against
17 any such person who fails or refuses to pay such sums. The
18 court may order the payment of sums due to maintenance charges
19 for such period or periods of time as the circumstances
20 require.

21 Upon the death of a person who is or has been a resident of
22 an Illinois Veterans Home who is liable for maintenance
23 charges and who is possessed of property, the Department may
24 present a claim for such sum or for the balance due in case
25 less than the rate prescribed under this Act has been paid. The
26 claim shall be allowed and paid as other lawful claims against

1 the estate.

2 The administrator of each Veterans Home shall establish a
3 locally-held trust fund to maintain moneys held for residents.
4 Whenever the Department finds it necessary to preserve order,
5 preserve health, or enforce discipline, the resident shall
6 deposit in a trust account at the Home such monies from any
7 source of income as may be determined necessary, and
8 disbursement of these funds to the resident shall be made only
9 by direction of the administrator.

10 If a resident of an Illinois Veterans Home has a dependent
11 child, spouse, or parent the administrator may require that
12 all monies received be deposited in a trust account with
13 dependency contributions being made at the direction of the
14 administrator. The balance retained in the trust account shall
15 be disbursed to the resident at the time of discharge from the
16 Home or to his or her heirs or legal representative at the time
17 of the resident's death, subject to Department regulations or
18 order of the court.

19 The Director of Central Management Services, with the
20 consent of the Director of Veterans' Affairs, is authorized
21 and empowered to lease or let any real property held by the
22 Department of Veterans' Affairs for an Illinois Veterans Home
23 to entities or persons upon terms and conditions which are
24 considered to be in the best interest of that Home. The real
25 property must not be needed for any direct or immediate
26 purpose of the Home. In any leasing or letting, primary

1 consideration shall be given to the use of real property for
2 agricultural purposes, and all moneys received shall be
3 transmitted to the Treasurer of the State for deposit in the
4 appropriate Veterans Home Fund.

5 Each administrator of an Illinois Veterans Home who has an
6 established locally-held member's benefits fund shall prepare
7 and submit to the Department a monthly report of all donations
8 received, including donations of a nonmonetary nature. The
9 report shall include the end of month balance of the
10 locally-held member's benefits fund.

11 (Source: P.A. 99-314, eff. 8-7-15; 100-392, eff. 8-25-17.)