



Rep. Stephanie A. Kifowit

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10300HB0925ham002

LRB103 04531 KTG 59516 a

1 AMENDMENT TO HOUSE BILL 925

2 AMENDMENT NO. _____. Amend House Bill 925 by replacing
3 everything after the enacting clause with the following:

4 "Section 1. Short title. This Act may be cited as the
5 Veteran Service Organizations State Charter Act.

6 Section 5. State charter. A veteran service organization
7 shall be considered state chartered when the organization
8 meets all of the requirements listed in this Act and the
9 organization's application for state charter status has been
10 approved by the Attorney General. Upon approval, the Attorney
11 General shall issue a letter granting state charter status to
12 the organization.

13 Section 10. Granting of state charter status. The Attorney
14 General shall grant state charter status to any organization
15 that has demonstrated that all requirements for obtaining

1 state charter status have been met.

2 Section 15. State charter requirements. To qualify for
3 state charter status, a veteran service organization must:

4 (1) Have been formed by and for veterans with a board
5 composition of mostly veterans or have annual expenditures
6 that demonstrate that the majority of the organization's
7 expenses reflect support for veterans, service members,
8 and their families; or (ii) have a paid membership of at
9 least 15 individuals and be associated with a
10 congressionally chartered organization; or (iii) provides
11 responsible aid, assistance, or services to the veteran
12 community.

13 (2) Possess tax-exempt status from the Internal
14 Revenue Service either under Section 501(c)(3) or Section
15 501(c)(19) of the Internal Revenue Code and have the
16 primary charitable purpose of providing service or
17 assistance to veterans, their spouses, or their
18 dependents.

19 (3) Possess a current certificate of good standing as
20 an Illinois registered not-for-profit organization from
21 the Secretary of State.

22 (4) Obtain and maintain ongoing registration and
23 compliance under the Charitable Trust Act with the
24 Charitable Trust Bureau of the Attorney General's Office
25 or substantiation for an exemption.

1 (5) For organizations with veteran service officers,
2 demonstrate that each veteran service officer possesses a
3 valid U.S. Department of Veterans Affairs accreditation or
4 that such accreditation is pending.

5 Section 20. Application for state charter status. A
6 veteran service organization may submit an application for
7 state charter status to the Attorney General. All supporting
8 documentation demonstrating that each of the requirements
9 listed in this Act have been met shall be provided with the
10 application.

11 Section 25. Attestation of compliance. Any application for
12 state charter status shall include the following statement, on
13 organizational letterhead and signed by all officers: "All
14 officers for (insert lawful organizational name) do hereby
15 attest that all requirements for a state charter have been
16 met, that there are no past or ongoing enforcement actions or
17 lawsuits against the organization or any of its officers for
18 violations or suspected violations of the Consumer Fraud and
19 Deceptive Business Practices Act, or the Military Veterans
20 Assistance Act, and that we will notify the Attorney General
21 within 30 days if, at any point, the organization no longer
22 meets one or more of the requirements for state charter
23 status."

1 Section 30. Denial of state charter. The Attorney General
2 shall deny an application for state charter status to any
3 organization that does not meet all requirements for state
4 charter status in Section 20. Any organization whose state
5 charter application has been denied may resubmit that
6 application once all deficiencies have been corrected.

7 Section 35. Duration of state charter status. State
8 charter status shall be valid for 5 years. A veteran service
9 organization must reapply for state charter status prior to
10 the expiration of its current state charter status.

11 Section 40. Revocation. If the Attorney General is made
12 aware, either through notification as provided in Section 30
13 or through other information or evidence, that an organization
14 that has been granted state charter status no longer meets one
15 or more of the requirements of Section 20, the Attorney
16 General may revoke the state charter status. Nothing in this
17 Section is intended to take away or limit any powers of the
18 Attorney General under common law or other statutory law, and
19 the Attorney General may, in his or her sole discretion,
20 request that a court revoke state charter status based on
21 other conduct not specifically listed in this Section.

22 Section 45. Publication of state chartered veteran service
23 organizations. The Attorney General shall maintain a publicly

1 accessible list of state chartered veteran service
2 organizations.

3 Section 50. Violation. It is a violation of Section 9 of
4 the Military Veterans Assistance Act for any person, group, or
5 entity to assert state charter status where such status has
6 not been granted in accordance with this Act or where such
7 status has been revoked.".