



93RD GENERAL ASSEMBLY
State of Illinois
2003 and 2004
HB4347

Introduced 02/02/04, by Thomas Holbrook

SYNOPSIS AS INTRODUCED:

New Act

Creates the Persian Gulf Veterans Compensation Act. Provides for compensation of \$100 to be paid to veterans of Operation Enduring Freedom and Operation Iraqi Freedom in the Persian Gulf. Provides for the payment of compensation to relatives of deceased veterans. Provides that the Illinois Veterans' Commission shall administer the payment of compensation under the Act. Requires that applications for compensation under the Act be made to the Illinois Department of Veterans' Affairs. Effective immediately.

LRB093 20516 DRJ 46507 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

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 1. Short title. This Act may be cited as the
5 Persian Gulf Veterans Compensation Act.

6 Section 5. Compensation; eligibility.

7 (a) Every person who has served on active duty with the
8 armed forces of the United States in Operation Enduring Freedom
9 or Operation Iraqi Freedom and prior to such time as Congress
10 declares such persons ineligible for the Southwest Asia Service
11 Medal for service in either of those operations is entitled to
12 receive compensation of \$100 for such service if (i) he or she
13 had been a resident of the State of Illinois for at least 12
14 months immediately preceding the time he or she entered such
15 service, (ii) he or she is still in active service, is
16 honorably separated or discharged from such service, has been
17 furloughed to a reserve, or has been retired, and (iii) he or
18 she has received the Southwest Asia Service Medal for service
19 in Operation Enduring Freedom or Operation Iraqi Freedom.
20 Service in the merchant marine is not service in the armed
21 forces for purposes of this Act.

22 (b) No payment may be made under this Section to any person
23 who, though in such service, did civilian work at civilian pay
24 or who has received from another State a bonus or compensation
25 of like nature so provided by this Act.

26 Section 10. Relatives of deceased veterans.

27 (a) The widow or widower, child or children, mother,
28 father, person standing in loco parentis, brothers and sisters,
29 in the order named, of any deceased person shall be paid the
30 compensation to which the deceased person would be entitled
31 under Section 5 of this Act. If the deceased person would have

1 qualified for compensation under Section 5 except for his or
2 her death and his or her death was connected with such service
3 and resulted from such service during the time period specified
4 in Section 5, his or her survivors, in the order named in this
5 Section, shall be paid \$1000.

6 (b) If a preceding beneficiary fails to file a claim for
7 compensation after the official notice of death, the Illinois
8 Veterans' Commission may proceed to process applications from
9 succeeding beneficiaries, and those beneficiaries may then
10 proceed to qualify upon submission of satisfactory proof of
11 eligibility.

12 Section 15. Assessment of right or claim prohibited. No
13 right or claim to compensation under this Act may be assigned.

14 Section 20. Illinois Veterans' Commission.

15 (a) The Illinois Veterans' Commission has complete charge
16 and control of the general scheme of payments authorized by
17 this Act and shall adopt general rules for the making of those
18 payments, for the ascertainment and selection of proper
19 beneficiaries and the amount to which those beneficiaries are
20 entitled, and for procedure.

21 (b) If the person to whom compensation is payable under
22 this Act is under legal disability, the compensation shall be
23 paid to the person legally vested with the care of the legally
24 disabled person under the laws of his or her state of
25 residence. If no such person has been so designated for the
26 legally disabled person, payment shall be made to the chief
27 officer of any hospital or institution under the supervision or
28 control of any state or of the Veterans Administration of the
29 United States in which the legally disabled person is placed,
30 if the officer is authorized to accept moneys for the benefit
31 of the incompetent. Any payments so made shall be held or used
32 solely for the benefit of the legally disabled person.

33 (c) As used in this Section, a person "under legal
34 disability" means any person found to be so disabled by a court

1 of competent jurisdiction of any state or the District of
2 Columbia or by any adjudication officer of the Veterans
3 Administration of the United States.

4 Section 25. Application for compensation. Any application
5 for compensation under this Act must be made to the Illinois
6 Department of Veterans' Affairs.

7 Section 99. Effective date. This Act takes effect upon
8 becoming law.