

# HB5647



## 95TH GENERAL ASSEMBLY

### State of Illinois

2007 and 2008

HB5647

by Rep. Frank J. Mautino

#### SYNOPSIS AS INTRODUCED:

20 ILCS 2805/25

Amends the Department of Veterans Affairs Act. Authorizes the Department to make monthly (now, annual) payments to veterans service organizations from the Veterans Service Organization Reimbursement Fund. Requires the organizations to submit documentation to the Department monthly (now, annually) for the payments. Authorizes the Department to transfer up to \$1,000,000 appropriated from the Veterans Service Organization Reimbursement Fund to the Illinois Veterans Assistance Fund for grants to veterans service organizations.

LRB095 16741 JAM 42775 b

FISCAL NOTE ACT  
MAY APPLY

A BILL FOR

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 and renumbering Section 20 as follows:

6 (20 ILCS 2805/25)

7 Sec. 25 ~~20~~. Payments to veterans service organizations.

8 (a) In this Section:

9 "Veterans service officer" means an individual employed by  
10 a veterans service organization and accredited by the United  
11 States Department of Veterans Affairs to process claims and  
12 other benefits for veterans and their spouses and  
13 beneficiaries.

14 "Veterans service organization" means an organization that  
15 meets all of the following criteria:

16 (1) It is formed by and for United States military  
17 veterans.

18 (2) It is chartered by the United States Congress and  
19 incorporated in the State of Illinois.

20 (3) It maintained a state headquarters office in  
21 Illinois for the 10-year period immediately preceding July  
22 1, 2006.

23 (4) It maintains at least one office in this State

1           staffed by a veterans service officer.

2           (5) It is capable of preparing a power of attorney for  
3           a veteran and processing claims for veterans services.

4           (6) It is not funded by the State of Illinois or by any  
5           county in this State.

6           "Veterans services" means the representation of veterans  
7           in federal hearings to secure benefits for veterans and their  
8           spouses and beneficiaries:

9           (1) Disability compensation benefits.

10          (2) Disability pension benefits.

11          (3) Dependents' indemnity compensation.

12          (4) Widow's death pension.

13          (5) Burial benefits.

14          (6) Confirmed and continued claims.

15          (7) Vocational rehabilitation and education.

16          (8) Waivers of indebtedness.

17          (9) Miscellaneous.

18          (b) The Veterans Service Organization Reimbursement Fund  
19          is created as a special fund in the State treasury. Subject to  
20          appropriation, the Department shall use moneys appropriated  
21          from the Fund to make payments to a veterans service  
22          organization for veterans services rendered on behalf of  
23          veterans and their spouses and beneficiaries by a veterans  
24          service officer employed by the organization. The payment shall  
25          be computed at the rate of \$0.010 for each dollar of benefits  
26          obtained for veterans or their spouses or beneficiaries

1 residing in Illinois as a result of the efforts of the veterans  
2 service officer. There shall be no payment under this Section  
3 for the value of health care received in a health care facility  
4 under the jurisdiction of the United States Veterans  
5 Administration. A veterans service organization may receive  
6 compensation under this Fund or it may apply for grants from  
7 the Illinois Veterans Assistance Fund, but in no event may a  
8 veterans service organization receive moneys from both funds  
9 during the same fiscal year. Funding for each applicant is  
10 subject to renewal by the Department on an annual basis.

11 (c) To be eligible for a payment under this Section, a  
12 veterans service organization must document the amount of  
13 moneys obtained for veterans and their spouses and  
14 beneficiaries in the form and manner required by the  
15 Department. The documentation must include the submission to  
16 the Department of a copy of the organization's report or  
17 reports to the United States Department of Veterans Affairs  
18 stating the amount of moneys obtained by the organization for  
19 veterans and their spouses and beneficiaries in the month State  
20 ~~fiscal year~~ for which payment under this Section is requested.  
21 The organization must submit the copy of the report or reports,  
22 and any other documentation required by the Department, to the  
23 Department no later than 15 days July 31 following the end of  
24 the month State fiscal year for which payment is requested.

25 (d) In addition to the requirement of subsection (b) that  
26 the Department use moneys appropriated from the Veterans

1 Service Organization Reimbursement Fund for payments, the  
2 Department may transfer up to \$1,000,000 of those appropriated  
3 moneys into the Illinois Veterans Assistance Fund for the  
4 making of grants to veterans service organizations as described  
5 in subsection (b). ~~The Department shall make the payment under~~  
6 ~~this Section to a veterans service organization in a single~~  
7 ~~annual payment for each State fiscal year, beginning with the~~  
8 ~~State fiscal year that begins on July 1, 2007. The Department~~  
9 ~~must make the payment for a State fiscal year on or before~~  
10 ~~December 31 of the succeeding State fiscal year.~~

11 (e) A veterans service organization shall use moneys  
12 received under this Section only for the purpose of paying the  
13 salary and expenses of one or more veterans service officers  
14 and the organization's related expenses incurred in employing  
15 the officer or officers for the processing of claims and other  
16 benefits for veterans and their spouses and beneficiaries.

17 (Source: P.A. 95-629, eff. 9-25-07; revised 12-6-07.)