

HB6337



95TH GENERAL ASSEMBLY

State of Illinois

2007 and 2008

HB6337

by Rep. Ron Stephens

SYNOPSIS AS INTRODUCED:

20 ILCS 2805/2h new

Amends the Department of Veterans Affairs Act. Creates the Operation Enduring Freedom and Operation Iraqi Freedom Fund. Authorizes the payment of bonuses to qualifying military personnel or their survivors. Sets forth requirements and conditions. Provides that there is no rulemaking authority under the amendatory Act, but that the Governor may suggest rules by filing them with the General Assembly and requesting that the General Assembly authorize such rulemaking by law, enact the suggested rules into law, or take other appropriate action in the General Assembly's discretion. Effective July 1, 2008.

LRB095 20940 RCE 49927 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 5. The Department of Veterans Affairs Act is
5 amended by adding Section 2h as follows:

6 (20 ILCS 2805/2h new)

7 Sec. 2h. Operation Enduring Freedom and Operation Iraqi
8 Freedom Fund.

9 (a) There is created within the State Treasury a fund to be
10 known as the Operation Enduring Freedom and Operation Iraqi
11 Freedom Fund.

12 (b) All moneys in the Operation Enduring Freedom and
13 Operation Iraqi Freedom Fund, together with any other excess
14 amounts appropriated for bonus payments to war veterans and
15 peacetime crisis survivors as allocated by the Department,
16 shall be used to compensate persons who served on active duty
17 with the armed forces of the United States on or after October
18 24, 2001. Every person who served in the Operation Iraqi
19 Freedom or Operation Enduring Freedom is entitled to receive
20 compensation of \$100, payable from funds appropriated for the
21 payments of bonuses to veterans, if the person:

22 (1) was a resident of Illinois for at least 12 months
23 immediately preceding his or her period of service;

1 (2) is still in active service, is honorably separated
2 or discharged from the service, has been furloughed to a
3 reserve, or has been retired; and

4 (3) has received the Afghanistan Campaign Medal for
5 service in Operation Enduring Freedom, the Iraqi Campaign
6 Medal for service in Operation Iraqi Freedom, or the Global
7 War on Terrorism Expeditionary Medal for service in either
8 Operation Enduring Freedom or Operation Iraqi Freedom.

9 (c) The widow or widower, child or children, mother,
10 father, person standing in loco parentis, brothers and sisters,
11 in the order named, of any deceased person shall be paid the
12 compensation that the deceased person would be entitled to
13 receive under subsection (b). If the deceased person would have
14 qualified for compensation under subsection (b) except for his
15 or her death and his or her death was connected with that
16 service and resulted from that service during the time
17 specified in subsection (b), his or her survivors, in the order
18 named in this subsection, shall be paid 10 times the amount the
19 deceased person would have received under subsection (b).

20 (d) Notwithstanding any other rulemaking authority that
21 may exist, neither the Governor nor any agency or agency head
22 under the jurisdiction of the Governor has any authority to
23 make or promulgate rules to implement or enforce the provisions
24 of this amendatory Act of the 95th General Assembly. If,
25 however, the Governor believes that rules are necessary to
26 implement or enforce the provisions of this amendatory Act of

1 the 95th General Assembly, the Governor may suggest rules to
2 the General Assembly by filing them with the Clerk of the House
3 and Secretary of the Senate and by requesting that the General
4 Assembly authorize such rulemaking by law, enact those
5 suggested rules into law, or take any other appropriate action
6 in the General Assembly's discretion. Nothing contained in this
7 amendatory Act of the 95th General Assembly shall be
8 interpreted to grant rulemaking authority under any other
9 Illinois statute where such authority is not otherwise
10 explicitly given. For the purposes of this amendatory Act of
11 the 95th General Assembly, "rules" is given the meaning
12 contained in Section 1-70 of the Illinois Administrative
13 Procedure Act, and "agency" and "agency head" are given the
14 meanings contained in Sections 1-20 and 1-25 of the Illinois
15 Administrative Procedure Act to the extent that such
16 definitions apply to agencies or agency heads under the
17 jurisdiction of the Governor.

18 Section 99. Effective date. This Act takes effect July 1,
19 2008.