

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

23 Money received as interest and income on funds deposited
24 for residents of an Illinois Veterans Home ~~operated-by-the~~
25 ~~Department--of--Veterans'-Affairs~~ shall be paid to the
26 individual accounts of the residents ~~placed-in-the-members~~
27 ~~benefit-fund-and-expenditures-from-the-fund-may-not--be--used~~
28 ~~to--supplement--a--shortfall--in--the-ordinary-and-contingent~~
29 ~~operating-expenses-of-the-Home-and-shall-be-expended-only-for~~
30 ~~the--special--comfort,--pleasure,--and--amusement--of--the~~
31 residents. If home residents choose to hold savings accounts

1 or other investments outside the Home, interest or income on
2 the individual savings accounts or investments of residents
3 shall ~~not be so expended, but shall~~ accrue to the individual
4 accounts of the residents.

5 Any money belonging to residents separated by death,
6 discharge, or unauthorized absence from an Illinois Veterans
7 Home, in custody of officers thereof, may, if unclaimed by
8 the resident or the legal representatives thereof for a
9 period of 2 years, be expended at the direction of the
10 Department for the purposes and in the manner specified
11 above. Articles of personal property, with the exception of
12 clothing left in the custody of officers, shall, if unclaimed
13 for the period of 2 years, be sold and the money disposed of
14 in the same manner.

15 Clothing left at a Home by residents at the time of
16 separation may be used as determined by the Home if unclaimed
17 by the resident or legal representatives thereof within 30
18 days after notification.

19 (Source: P.A. 89-324, eff. 8-13-95; 90-168, eff. 7-23-97;
20 90-752, eff. 8-14-98.)

21 (20 ILCS 2805/2.04) (from Ch. 126 1/2, par. 67.04)

22 Sec. 2.04. There shall be established in the State
23 Treasury special funds known as (i) the LaSalle Veterans Home
24 Fund, (ii) the Anna Veterans Home Fund, (iii) the Manteno
25 Veterans Home Fund, (iv) the Quincy Veterans Home Fund, and
26 (v) the John Joseph Kelly Home Fund. All moneys received by
27 an Illinois Veterans Home from Medicare and from maintenance
28 charges to veterans, spouses, and surviving spouses residing
29 at that Home shall be paid into that Home's Fund. All moneys
30 received from the U.S. Department of Veterans Affairs for
31 patient care shall be transmitted to the Treasurer of the
32 State for deposit in the Veterans Home Fund for the Home in
33 which the veteran resides. Appropriations shall be made from

1 a Fund only for the needs of the Home, including capital
2 improvements, building rehabilitation, and repairs.

3 The administrator of each Veterans Veteran's Home shall
4 establish a locally-held member's benefits fund. Revenues
5 accruing to an Illinois Veterans Home, including any
6 donations, grants for the operation of the Home, ~~interest--on~~
7 ~~residents'---trust---fund--accounts--established--under--this~~
8 ~~Section,~~ profits from commissary stores, and funds received
9 from any individual or other source, shall be deposited into
10 that Home's benefits benefit fund. ~~Interest-on-residents'~~
11 ~~trust--fund--accounts---shall---be---transferred---at---least~~
12 ~~semi-annually--to--the--benefits-fund.~~ Expenditures from the
13 benefits benefit funds shall be solely for the special
14 comfort, pleasure, and amusement of residents. Contributors
15 of unsolicited private donations may specify the purpose for
16 which the private donations are to be used.

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

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

33 The administrator of each Veterans Veteran's Home shall
34 establish a locally-held trust fund to maintain moneys held

1 for residents. Whenever the Department finds it necessary to
2 preserve order, preserve health, or enforce discipline, the
3 resident shall deposit in a trust account at the Home such
4 monies from any source of income as may be determined
5 necessary, and disbursement of these funds to the resident
6 shall be made only by direction of the administrator.

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

16 The Director of Central Management Services, with the
17 consent of the Director of Veterans' Affairs, is authorized
18 and empowered to lease or let any real property held by the
19 Department of Veterans' Affairs for an Illinois Veterans Home
20 to entities or persons upon terms and conditions which are
21 considered to be in the best interest of that Home. The real
22 property must not be needed for any direct or immediate
23 purpose of the Home. In any leasing or letting, primary
24 consideration shall be given to the use of real property for
25 agricultural purposes, and all moneys received shall be
26 transmitted to the Treasurer of the State for deposit in the
27 appropriate Veterans Home Fund.

28 (Source: P.A. 91-634, eff. 8-19-99.)

29 Section 99. Effective date. This Act takes effect upon
30 becoming law.