

AN ACT concerning veterans.

**Be it enacted by the People of the State of Illinois,  
represented in the General Assembly:**

Section 5. The Counties Code is amended by changing Section 5-2006 as follows:

(55 ILCS 5/5-2006) (from Ch. 34, par. 5-2006)

Sec. 5-2006. Tax for Veterans Assistance Commission ~~veterans assistance commission~~. The county board of each county having a population of less than 3 million in which there is a Veterans Assistance Commission as provided in Section 9 of the Military Veterans Assistance Act may levy a tax of not to exceed .03% of the assessed value annually on all taxable property of the county, for the purpose of providing assistance to military veterans and their families pursuant to such Act. Whenever not less than 10% of the electors of the county petition the county board to levy the tax at not to exceed .04% of the assessed value, the county board shall certify the proposition to the proper election officials who shall submit the proposition at the next general election in accordance with the general election law. If a majority of the electors vote in favor of the proposition, the county board may, annually, levy the tax as authorized. The proceeds of any tax so levied shall be used exclusively for the assistance

purposes authorized thereunder, and a portion thereof may be expended for the salaries or expenses of any officers or employees of the Veterans Assistance Commission or for any other expenses incident to the administration of such assistance.

The tax shall be separate from all other taxes which the county is authorized to ~~in addition to all other taxes which the county is authorized to~~ levy on the aggregate valuation of the property within the county and shall not be included in any tax limitation of the rate upon which taxes are required to be extended, but shall be excluded therefrom and in addition thereto. The tax shall be levied and collected in like manner as the general taxes of the county, and, when collected, shall be paid into a special fund in the county treasury and used only as herein authorized, or disbursed from the county treasury of a county in which a properly organized Veterans Assistance Commission is authorized under Section 3-11008 of this Code.

The limitations on tax rates herein provided may be increased or decreased under the referendum provisions of the General Revenue Law of Illinois.

If a county has levied the tax herein authorized or otherwise meets the conditions set out in Section 12-21.13 of ~~the Illinois Public Aid Code~~, to qualify for State funds to supplement local funds for public purposes under Articles III, IV, V, VI, and IX ~~VII~~ of that Code and otherwise meets the

conditions set out in Article XII of that Code for receipt of State aid, the Illinois Department of Human Services shall allocate and pay to the county such additional sums as it determines to be necessary to meet the needs of assistance to military veterans and their families in the county and expenses incident to the administration of such assistance. In counties where a Veterans Assistance Commission has been properly created, those County Veterans Assistance Commissions shall be in charge of the administration of such assistance provided under the Illinois Public Aid Code for military veterans and their families.

(Source: P.A. 89-507, eff. 7-1-97.)

Section 10. The Illinois Public Aid Code is amended by changing Section 2-14 as follows:

(305 ILCS 5/2-14) (from Ch. 23, par. 2-14)

Sec. 2-14. "Local governmental unit". Every county, city, village, incorporated town or township charged with the duty of providing public aid under Article VI; and County Veterans Assistance Commissions providing general assistance to ~~indigent-war~~ veterans and their families under Section 12-21.13 of Article XII.

However, should any Section of this Code impose the obligation of providing medical assistance to persons who are non-residents of the State of Illinois upon a local

governmental unit, the term "local governmental unit" shall not include townships. In such case the obligation for providing medical assistance to non-residents which would otherwise be the duty of a township shall become the obligation of the Department of Healthcare and Family Services.

(Source: P.A. 95-331, eff. 8-21-07.)

Section 15. The Military Veterans Assistance Act is amended by changing Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, and 10 as follows:

(330 ILCS 45/1) (from Ch. 23, par. 3081)

Sec. 1. Definitions. As used in this Act:

"Veteran service organization" means a post, ship, camp, chapter, or detachment of a congressionally chartered or state chartered organization.

~~The term "Administrator Overseer of military veterans assistance" means the commanders of the various veteran service organizations, the superintendent of a County Veterans Assistance Commission, or other~~ , as used in this Act, shall be construed to mean all persons whose duty it is, under the existing statutes, to care for, relieve or maintain, wholly or in part, any person who may be entitled to such assistance under the statutes of the State of Illinois. This Act shall not infringe upon the mandated powers and authorities vested in

the Illinois Department of Veterans' Affairs.

(Source: P.A. 87-796.)

(330 ILCS 45/2) (from Ch. 23, par. 3082)

Sec. 2. For the just, necessary, and needed assistance and services ~~assistance~~ of military veterans, who served in the Armed Forces of the United States and whose last discharge from the service was honorable or general under honorable conditions ~~, whose last discharge from the service was honorable~~ to be eligible for assistance, their families, and the families of deceased veterans with service as described in this Section who need assistance and services.

(1) The supervisor of general assistance or the county board shall provide such sums of money as may be just and necessary to be drawn by the commander, quartermaster or commandant of any ~~post, ship, camp, chapter or detachment of any congressionally chartered or state chartered veterans~~ service organization, in the city or town, or the superintendent of any Veterans' Assistance Commission of the county, upon the recommendation of the assistance committee of that veterans service organization or the ~~post, ship, camp, chapter or~~ Veterans' Assistance Commission.

(A) Funding for Veterans Assistance Commissions  
may be derived from 3 sources, if applicable:

(i) a tax levied under Section 5-2006 of the

Counties Code and Section 12-21.13 of the Illinois Public Aid Code;

(ii) funds from the county general corporate fund; and

(iii) State funds from the Department of Human Services.

(B) The minimum amount to be provided annually to Veterans Assistance Commissions is provided in Section 12-21.13 of the Illinois Public Aid Code, unless the delegates of the County Veterans Assistance Commission determine that a lesser amount covers the just and necessary sums.

(2) If any supervisor of general assistance or county board fails or refuses after such recommendation to provide ~~any~~ just and necessary sums of money for such assistance, then the veteran service organization commander, post, chapter, or detachment or the superintendent of any Veterans' Assistance Commission located in the district of such supervisor of general assistance or such county board shall apply to the circuit court of the district or county for relief by mandamus upon the supervisor of general assistance or county board requiring him, her or it to pay, or to appropriate and pay such sums of money, and upon proof made of the justice and necessity of the claim, the circuit court shall grant the sums so requested ~~such assistance~~.

(3) Such sums of money shall be drawn in the manner now provided under Section 5-2006 of the Counties Code and Section 12-21.13 of the Illinois Public Aid Code ~~by law for the assistance of the poor.~~ Orders of commanders, quartermasters, commandants, or superintendents of those veterans service organizations or those Veterans' Assistance Commissions shall be proper warrants ~~vouchers~~ for the expenditure of such sums of money.

(Source: P.A. 87-796.)

(330 ILCS 45/3) (from Ch. 23, par. 3083)

Sec. 3. In case there is no veteran service ~~post or camp of a military veterans~~ organization, in any town in which it is necessary that such assistance as provided in Section 2 should be granted, the administrator ~~overseer~~ of military veterans assistance shall accept and pay the orders drawn, as hereinbefore provided by the commander, quartermaster or commandant of any veteran service organization ~~post or camp of a military veterans organization~~, upon the recommendation of an assistance committee, who shall be residents of the said town in which the assistance may be furnished.

(Source: P.A. 87-796.)

(330 ILCS 45/4) (from Ch. 23, par. 3084)

Sec. 4. Upon the taking effect of this Act, the commander of any veteran service organization or any properly created

Veterans Assistance Commission ~~post or camp of a military veterans organization~~, which shall undertake the assistance of military veterans and their families, as hereinbefore provided, before the acts of the commander, quartermaster, or commandant shall be operative in any city or town, shall file with the city clerk of such city or town clerk of such town, or administrator ~~overseer~~ of military veterans assistance of such town or county, a notice that said veteran service organization or Veterans Assistance Commission ~~post, camp, chapter or detachment~~ intends to undertake such assistance as is provided by this Act, and such notice shall contain the names of the assistance committee of the veteran service organization or Veterans Assistance Commission ~~post, camp, chapter or detachment~~ in such city or town, and the commander and other officers of said veteran service organization or Veterans Assistance Commission ~~post, camp, chapter or detachment~~. And the commander of the veteran service organization or Veterans Assistance Commission ~~post, camp, chapter or detachment~~ shall annually thereafter, during the month of October, file a similar notice with the city or town clerk, or the administrator ~~overseer~~ of military veterans assistance, also a detailed statement of the amount of assistance furnished during the preceding year, with the names of all persons to whom such assistance shall have been furnished, together with a brief statement in such case from the assistance committee upon whose recommendation the orders



were drawn. Any person who fails or neglects so to do at the time required by this Act shall be guilty of a petty offense and fined \$250 to be recovered in the name of the county in the circuit court.

(Source: P.A. 87-796.)

(330 ILCS 45/5) (from Ch. 23, par. 3085)

Sec. 5. The auditing board of any city or town or county auditor, or the administrator ~~overseer~~ of military veterans assistance of any city, town, or county, may require of the commander, quartermaster, or commandant of any veteran service organization, or superintendent of any properly organized Veterans Assistance Commission ~~or detachment of any post or camp of a military veterans organization~~, undertaking such assistance in any city or town, a bond with sufficient and satisfactory sureties for the faithful and honest discharge of their duties under this Act.

(Source: P.A. 87-796.)

(330 ILCS 45/6) (from Ch. 23, par. 3086)

Sec. 6. ~~Overseers of military veterans assistance are hereby prohibited from sending military veterans (or their families or the families of those deceased) to any almshouse (or orphan asylum) without the full concurrence and consent of the commander and assistance committee of the post or camp of a military veterans organization having jurisdiction as provided~~

~~in Sections 2 and 3 of this Act. Military veterans with families and the families of deceased veterans, shall, whenever practicable, be provided for and assisted at their homes in such city or town in which they shall have a residence, in the manner provided in Sections 2 and 3 of this Act. Needy veterans or veterans with disabilities of the classes specified in Section 2 of this Act, who are not mentally ill, and who have no families or friends with which they may be domiciled, may be sent to any veterans home. Any less fortunate veteran of either of the classes specified in Section 2 of this Act or any member of the family of any living or deceased veteran of said classes, who may be mentally ill, shall, upon the recommendation of the commander and assistance committee of such post or camp of a military veterans organization, within the jurisdiction of which the case may occur, be sent to any mental health facility and cared for as provided for indigent persons who are mentally ill.~~

(Source: P.A. 99-143, eff. 7-27-15.)

(330 ILCS 45/7) (from Ch. 23, par. 3087)

Sec. 7. In case there shall be within the limits of any city or town more than one veteran service organization ~~post or camp of military veterans organizations~~, it shall be the duty of the commander, quartermaster, or commandant of each veteran service organization ~~post, camp, chapter or detachment~~ within such limits, to send to the commander, quartermaster,

or commandant of every other veteran service organization ~~post, camp, chapter or detachment~~, as the case may be, within said limits, on the first day of each month, a written list of the names of all persons to whom assistance has been granted during the preceding month, under the provisions of this Act.

(Source: P.A. 87-796.)

(330 ILCS 45/8) (from Ch. 23, par. 3088)

Sec. 8. The commander, quartermaster, or commandant of any veteran service organization ~~post or camp of a military veterans organization, congressionally chartered or state chartered commander~~, or the superintendent of any county Veterans' Assistance Commission of Illinois shall annually report to the Governor, on or before the first day of January of each year, such portions of the transactions of the aforementioned veteran service organization or Veterans Assistance Commission ~~veterans' organizations~~ relating thereto as the commander or superintendent ~~he~~ may deem to be of interest to that organization and the people of the State.

(Source: P.A. 87-796.)

(330 ILCS 45/9) (from Ch. 23, par. 3089)

Sec. 9. Veterans Assistance Commission.

(a) In counties having 2 or more veteran service organizations ~~posts, camps, chapters or detachments of military veterans organizations~~ as may be recognized by law, l

~~the veteran service organizations may come together to form a~~  
~~a central assistance committee may be organized to be known as~~  
~~the Veterans Assistance Commission of such county. The~~  
~~Veterans Assistance Commission of such county may act as the~~  
~~central service office for all veterans and their families and~~  
~~for the families of deceased veterans. The Commission shall be~~  
~~composed of delegates and alternates from a majority of such~~  
~~veteran service organizations posts, camps, units, and~~  
~~chapters or ship selected annually as determined by each~~  
~~veteran service organization post, ship, camp, or chapter.~~  
When so organized a Commission ~~commission~~ shall be clothed  
with all the powers and charged with all the duties  
theretofore devolving upon the different veteran service  
organizations within the county ~~posts and chapters as provided~~  
~~in Section 2.~~

(1) ~~Every Beginning on January 1, 2017, and every~~  
~~January 1 thereafter,~~ all Veterans Assistance Commissions  
shall publish a notice to each veteran service  
organization ~~post, camp, unit, chapter, ship, or~~  
~~detachment of a military veterans organization~~ within  
their respective county calling on them to select  
delegates and alternates for that county's Veterans  
Assistance Commission by the methods provided in this  
subsection. The Veterans Assistance Commissions shall  
allow each veteran service organization until March 1 to  
respond, at which time those delegates and alternates

~~shall begin their term of office post, camp, unit, chapter, ship, or detachment of a military veterans organization 60 days to respond.~~

(2) Except as provided in paragraph (3), veteran service organizations ~~posts, camps, units, chapters, ships, or detachments of a military veterans organization~~ shall be permitted to select one delegate and one alternate.

(3) In counties with 5 or more of the same veteran service organizations ~~posts, camps, units, chapters, ships, or detachments of the same military veterans organization,~~ all the constituent veteran service organizations ~~posts, camps, units, chapters, ships, or detachments of such military organizations~~ shall be permitted to select a single delegate and single alternate to represent that veteran service organization ~~military veterans organization~~ instead of each constituent veteran service organization ~~post, camp, unit, chapter, ship, or detachment~~ selecting one delegate and one alternate. For the purposes of meeting the majority requirement of this subsection, when the constituent groups of a veteran service organization ~~military veterans organization~~ choose to select a single delegate and single alternate, the single delegate and single alternate shall represent the aggregate percentage of the constituent groups.

(4) If a veteran service organization ~~post, camp,~~

~~unit, chapter, ship, or detachment of a military veterans organization~~ serves more than one county, then it shall be permitted to select one delegate and one alternate for the Veterans Assistance Commission in each county in which at least 25% of its members reside.

(b) The Commission superintendent ~~and the president or chairman of the county board, or some other county officer appointed by him,~~ shall have ~~general~~ oversight of the distribution of all moneys and supplies appropriated ~~by the county~~ for the benefit of military veterans and their families, subject to such rules, regulations, administrative procedures or audit reviews as are necessary as approved by the Commission ~~county board~~ to carry out the spirit and intent of this Act. No warrant authorized under this Act may be issued for the payment of money without the presentation of an itemized statement or claim, approved by the superintendent of the Commission.

~~If general assistance funds are allocated to a county for assistance to military veterans and their families as provided in the Illinois Public Aid Code, the administration of such funds and of county tax funds levied for such purpose as provided in Section 5-2006 of the Counties Code shall be subject to the supervision of the Department of Human Services in accordance with the provisions of the Illinois Public Aid Code.~~

(c) The Veterans Assistance Commission shall be in charge

of the administration of any benefits provided under Articles VI and IX of the Illinois Public Aid Code for military veterans and their families. The Veterans Assistance Commission shall represent veterans in their application for benefits through State and federal agencies, including representing veterans in their appeals of adverse decisions. The superintendent of the Veterans Assistance Commission and its employees must comply with the procedures and regulations adopted by the Veterans Assistance Commission and the regulations of the Department of Human Services. To further the intent of this Act of assisting military veterans, this Act is to be construed so that the Veterans Assistance Commission shall provide needed services to eligible veterans.

(Source: P.A. 102-484, eff. 8-20-21.)

(330 ILCS 45/10) (from Ch. 23, par. 3090)

Sec. 10. The executive powers of the Commission ~~commission~~ shall be vested in a superintendent elected by the Commission ~~who received an honorable discharge from commission from among those who served in~~ the armed forces of the United States. The ~~superintendent,~~ designated superintendent of the Veterans Assistance Commission ~~Superintendent of Veterans Assistance of the county,~~ shall, under the direction of the Commission ~~commission,~~ have charge of and maintain an office in the county building or a other central location within the county, to be used solely by the Commission ~~commission~~ for providing

~~the just, necessary, and needed services mandated by law~~  
~~carrying on its assistance work.~~ The county shall provide for  
the funding of the office and furnish all necessary supplies,  
including telephone, printing, stationery, and postage  
therefor.

The county board shall, in any county where a Veterans  
Assistance Commission is organized, in addition to sums  
appropriated for these just, necessary, and needed services as  
provided by law and approved by the Commission ~~assistance and~~  
~~emergency assistance purposes~~ under this Act, appropriate such  
additional sums, upon recommendation of the Veterans  
Assistance Commission ~~and as approved by the county board,~~ to  
properly compensate the officers and employees required to  
administer such assistance. ~~Such county board approval shall~~  
~~be based upon recognized and established salary guidelines~~  
~~developed by the county and used by the county to compensate~~  
~~county employees. If the county does not have established~~  
~~employee salary guidelines, the county board shall provide~~  
~~funds to the commission to compensate the superintendent and~~  
~~his employees in a just manner.~~ The county board shall also  
provide funds to the Commission ~~commission~~ to reimburse the  
superintendent, officers, delegates and employees for certain  
expenses which are approved by the Commission ~~commission~~. The  
superintendent and other employees shall be employees of the  
Veterans Assistance Commission, and no provision in this  
Section or elsewhere in this Act shall be construed to mean



that they are employees of the county.

Superintendents, subject to rules formulated by the Commission ~~commission~~, shall select, as far as possible, Veteran Service Officers ~~secretaries~~ and other employees from among ~~honorably discharged~~ military veterans who did not receive a bad conduct or dishonorable discharge ~~as defined in Section 2~~, or their ~~surviving~~ spouses.

In a county with less than 2,000,000 inhabitants, the superintendent may, in conformance with subsection (f) of Section 3-9005 of the Counties Code, request legal assistance from the State's Attorney serving the county in which the Veterans Assistance Commission is located.

Superintendents of all counties subject to this Act, when required by the Commission, ~~commission~~, shall give bond in the sum of \$2,000 for the faithful performance of their duties.

All persons elected or selected to fill positions provided for in this Section shall be exempt from the operation and provisions of any civil service act or laws of this State, and the secretary of the Commission ~~commission~~ shall be appointed by the superintendent. ~~However, if "The Illinois Public Aid Code", as amended, becomes applicable in any county, the Department of Human Services may exercise the powers therein designated in relation to employees engaged in the administration of assistance under this Act.~~

(Source: P.A. 102-56, eff. 7-9-21.)

Public Act 102-0732

HB5184 Enrolled

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(330 ILCS 45/11 rep.)

Section 20. The Military Veterans Assistance Act is amended by repealing Section 11.