



100TH GENERAL ASSEMBLY

State of Illinois

2017 and 2018

SB1757

Introduced 2/9/2017, by Sen. Paul Schimpf

SYNOPSIS AS INTRODUCED:

20 ILCS 805/805-305	was 20 ILCS 805/63a23
20 ILCS 1605/21.6	
20 ILCS 2805/0.01	from Ch. 126 1/2, par. 65.9
20 ILCS 2805/20	
20 ILCS 5000/10	
30 ILCS 500/45-67	
210 ILCS 45/2-215	
330 ILCS 30/3	from Ch. 126 1/2, par. 57.53
330 ILCS 30/5	from Ch. 126 1/2, par. 57.55
330 ILCS 35/2	from Ch. 126 1/2, par. 57.62
330 ILCS 110/3	from Ch. 21, par. 59c
625 ILCS 5/3-626	

Amends the Department of Veterans Affairs Act. Changes the short title of the Act to the Department of Veterans' Affairs Act. Amends various Acts by correcting references to the Department of Veterans' Affairs Act and the Department of Veterans' Affairs and by eliminating references to the Illinois Veterans' Commission, which was the predecessor agency of the Department of Veterans' Affairs. Effective January 1, 2018.

LRB100 06495 MJP 16535 b

1 AN ACT concerning the Department of Veterans' Affairs.

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

4 Section 5. The Department of Natural Resources
5 (Conservation) Law of the Civil Administrative Code of Illinois
6 is amended by changing Section 805-305 as follows:

7 (20 ILCS 805/805-305) (was 20 ILCS 805/63a23)

8 Sec. 805-305. Campsites and housing facilities. The
9 Department has the power to provide facilities for overnight
10 tent and trailer campsites and to provide suitable housing
11 facilities for student and juvenile overnight camping groups.
12 The Department of Natural Resources may regulate, by
13 administrative order, the fees to be charged for tent and
14 trailer camping units at individual park areas based upon the
15 facilities available. However, for campsites with access to
16 showers or electricity, any Illinois resident who is age 62 or
17 older or has a Class 2 disability as defined in Section 4A of
18 the Illinois Identification Card Act shall be charged only
19 one-half of the camping fee charged to the general public
20 during the period Monday through Thursday of any week and shall
21 be charged the same camping fee as the general public on all
22 other days. For campsites without access to showers or
23 electricity, no camping fee authorized by this Section shall be

1 charged to any resident of Illinois who has a Class 2
2 disability as defined in Section 4A of the Illinois
3 Identification Card Act. For campsites without access to
4 showers or electricity, no camping fee authorized by this
5 Section shall be charged to any resident of Illinois who is age
6 62 or older for the use of a campsite unit during the period
7 Monday through Thursday of any week. No camping fee authorized
8 by this Section shall be charged to any resident of Illinois
9 who is a veteran with a disability or a former prisoner of war,
10 as defined in Section 5 of the Department of Veterans' ~~Veterans~~
11 Affairs Act. No camping fee authorized by this Section shall be
12 charged to any resident of Illinois after returning from
13 service abroad or mobilization by the President of the United
14 States as an active duty member of the United States Armed
15 Forces, the Illinois National Guard, or the Reserves of the
16 United States Armed Forces for the amount of time that the
17 active duty member spent in service abroad or mobilized if the
18 person (i) applies for a pass at the Department office in
19 Springfield within 2 years after returning and provides
20 acceptable verification of service or mobilization to the
21 Department or (ii) applies for a pass at a Regional Office of
22 the Department within 2 years after returning and provides
23 acceptable verification of service or mobilization to the
24 Department; any portion of a year that the active duty member
25 spent in service abroad or mobilized shall count as a full
26 year. Nonresidents shall be charged the same fees as are

1 authorized for the general public regardless of age. The
2 Department shall provide by regulation for suitable proof of
3 age, or either a valid driver's license or a "Golden Age
4 Passport" issued by the federal government shall be acceptable
5 as proof of age. The Department shall further provide by
6 regulation that notice of these reduced admission fees be
7 posted in a conspicuous place and manner.

8 Reduced fees authorized in this Section shall not apply to
9 any charge for utility service.

10 For the purposes of this Section, "acceptable verification
11 of service or mobilization" means official documentation from
12 the Department of Defense or the appropriate Major Command
13 showing mobilization dates or service abroad dates, including:
14 (i) a DD-214, (ii) a letter from the Illinois Department of
15 Military Affairs for members of the Illinois National Guard,
16 (iii) a letter from the Regional Reserve Command for members of
17 the Armed Forces Reserve, (iv) a letter from the Major Command
18 covering Illinois for active duty members, (v) personnel
19 records for mobilized State employees, and (vi) any other
20 documentation that the Department, by administrative rule,
21 deems acceptable to establish dates of mobilization or service
22 abroad.

23 For the purposes of this Section, the term "service abroad"
24 means active duty service outside of the 50 United States and
25 the District of Columbia, and includes all active duty service
26 in territories and possessions of the United States.

1 (Source: P.A. 99-143, eff. 7-27-15; 99-642, eff. 7-28-16.)

2 Section 10. The Illinois Lottery Law is amended by changing
3 Section 21.6 as follows:

4 (20 ILCS 1605/21.6)

5 Sec. 21.6. Scratch-off for Illinois veterans.

6 (a) The Department shall offer a special instant
7 scratch-off game for the benefit of Illinois veterans. The game
8 shall commence on January 1, 2006 or as soon thereafter, at the
9 discretion of the Director, as is reasonably practical. The
10 operation of the game shall be governed by this Act and any
11 rules adopted by the Department. If any provision of this
12 Section is inconsistent with any other provision of this Act,
13 then this Section governs.

14 (b) The Illinois Veterans Assistance Fund is created as a
15 special fund in the State treasury. The net revenue from the
16 Illinois veterans scratch-off game shall be deposited into the
17 Fund for appropriation by the General Assembly solely to the
18 Department of Veterans' ~~Veterans~~ Affairs for making grants,
19 funding additional services, or conducting additional research
20 projects relating to each of the following:

21 (i) veterans' post traumatic stress disorder;

22 (ii) veterans' homelessness;

23 (iii) the health insurance costs of veterans;

24 (iv) veterans' disability benefits, including but not

1 limited to, disability benefits provided by veterans
2 service organizations and veterans assistance commissions
3 or centers;

4 (v) the long-term care of veterans; provided that,
5 beginning with moneys appropriated for fiscal year 2008, no
6 more than 20% of such moneys shall be used for health
7 insurance costs; and

8 (vi) veteran employment and employment training.

9 In order to expend moneys from this special fund, beginning
10 with moneys appropriated for fiscal year 2008, the Director of
11 Veterans' Affairs shall appoint a 3-member funding
12 authorization committee. The Director shall designate one of
13 the members as chairperson. The committee shall meet on a
14 quarterly basis, at a minimum, and shall authorize expenditure
15 of moneys from the special fund by a two-thirds vote. Decisions
16 of the committee shall not take effect unless and until
17 approved by the Director of Veterans' Affairs. Each member of
18 the committee shall serve until a replacement is named by the
19 Director of Veterans' Affairs. One member of the committee
20 shall be a member of the Veterans' Advisory Council.

21 Moneys collected from the special instant scratch-off game
22 shall be used only as a supplemental financial resource and
23 shall not supplant existing moneys that the Department of
24 Veterans' Affairs ~~Veterans~~ Affairs may currently expend for the
25 purposes set forth in items (i) through (v).

26 Moneys received for the purposes of this Section,

1 including, without limitation, net revenue from the special
2 instant scratch-off game and from gifts, grants, and awards
3 from any public or private entity, must be deposited into the
4 Fund. Any interest earned on moneys in the Fund must be
5 deposited into the Fund.

6 For purposes of this subsection, "net revenue" means the
7 total amount for which tickets have been sold less the sum of
8 the amount paid out in the prizes and the actual administrative
9 expenses of the Department solely related to the scratch-off
10 game under this Section.

11 (c) During the time that tickets are sold for the Illinois
12 veterans scratch-off game, the Department shall not
13 unreasonably diminish the efforts devoted to marketing any
14 other instant scratch-off lottery game.

15 (d) The Department may adopt any rules necessary to
16 implement and administer the provisions of this Section.

17 (Source: P.A. 97-464, eff. 10-15-11; 97-740, eff. 7-5-12;
18 98-499, eff. 8-16-13; revised 9-2-16.)

19 Section 15. The Department of Veterans Affairs Act is
20 amended by changing Sections 0.01 and 20 as follows:

21 (20 ILCS 2805/0.01) (from Ch. 126 1/2, par. 65.9)

22 Sec. 0.01. Short title. This Act may be cited as the
23 Department of Veterans' ~~Veterans~~ Affairs Act.

24 (Source: P.A. 86-1324.)

1 (20 ILCS 2805/20)

2 Sec. 20. Illinois Discharged Servicemember Task Force. The
3 Illinois Discharged Servicemember Task Force is hereby created
4 within the Department of Veterans' ~~Veterans~~ Affairs. The Task
5 Force shall investigate the re-entry process for service
6 members who return to civilian life after being engaged in an
7 active theater. The investigation shall include the effects of
8 post-traumatic stress disorder, homelessness, disabilities,
9 and other issues the Task Force finds relevant to the re-entry
10 process. For fiscal year 2012, the Task Force shall include the
11 availability of prosthetics in its investigation. For fiscal
12 year 2014, the Task Force shall include the needs of women
13 veterans with respect to issues including, but not limited to,
14 compensation, rehabilitation, outreach, health care, and
15 issues facing women veterans in the community, and to offer
16 recommendations on how best to alleviate these needs which
17 shall be included in the Task Force Annual Report for 2014. The
18 Task Force shall include the following members:

19 (a) a representative of the Department of Veterans'
20 ~~Veterans~~ Affairs, who shall chair the committee;

21 (b) a representative from the Department of Military
22 Affairs;

23 (c) a representative from the Office of the Illinois
24 Attorney General;

25 (d) a member of the General Assembly appointed by the

1 Speaker of the House;

2 (e) a member of the General Assembly appointed by the
3 House Minority Leader;

4 (f) a member of the General Assembly appointed by the
5 President of the Senate;

6 (g) a member of the General Assembly appointed by the
7 Senate Minority Leader;

8 (h) 4 members chosen by the Department of Veterans'
9 ~~Veterans~~ Affairs, who shall represent statewide veterans'
10 organizations or veterans' homeless shelters;

11 (i) one member appointed by the Lieutenant Governor;
12 and

13 (j) a representative of the United States Department of
14 Veterans Affairs shall be invited to participate.

15 Vacancies in the Task Force shall be filled by the initial
16 appointing authority. Task Force members shall serve without
17 compensation, but may be reimbursed for necessary expenses
18 incurred in performing duties associated with the Task Force.

19 By July 1, 2008 and by July 1 of each year thereafter, the
20 Task Force shall present an annual report of its findings to
21 the Governor, the Attorney General, the Director of Veterans'
22 Affairs, the Lieutenant Governor, and the Secretary of the
23 United States Department of Veterans Affairs.

24 If the Task Force becomes inactive because active theaters
25 cease, the Director of Veterans' ~~Veterans~~ Affairs may
26 reactivate the Task Force if active theaters are reestablished.

1 (Source: P.A. 97-414, eff. 1-1-12; 98-310, eff. 8-12-13;
2 revised 9-8-16.)

3 Section 20. The Task Force on Inventorying Employment
4 Restrictions Act is amended by changing Section 10 as follows:

5 (20 ILCS 5000/10)

6 Sec. 10. Definitions. As used in this Act:

7 "State agencies" shall mean the following State agencies,
8 boards, and commissions: Department on Aging, Department of
9 Agriculture, Office of Appellate Defender, Office of the
10 State's Attorneys Appellate Prosecutor, Illinois Arts Council,
11 Office of the Attorney General, Auditor General, Capital
12 Development Board, Department of Central Management Services,
13 Department of Children and Family Services, Civil Service
14 Commission, Illinois Department of Commerce and Economic
15 Opportunity, Illinois Commerce Commission, Illinois Community
16 College Board, State of Illinois Comprehensive Health
17 Insurance Plan, Office of the Comptroller, Department of
18 Corrections, Criminal Justice Information Authority, Illinois
19 Council on Developmental Disabilities, Illinois Deaf and Hard
20 of Hearing Commission, Commission on Discrimination and Hate
21 Crimes, State Board of Education, Illinois Educational Labor
22 Relations Board, State Board of Elections, Illinois Emergency
23 Management Agency, Department of Employment Security,
24 Environmental Protection Agency, Illinois State Fair, Illinois

1 Finance Authority, Department of Financial and Professional
2 Regulation, Office of the First Lady, Illinois Gaming Board,
3 Office of the Governor, Guardianship and Advocacy Commission,
4 Department of Healthcare and Family Services, Board of Higher
5 Education, Historic Preservation Agency, Illinois Housing
6 Development Authority, Illinois Human Rights Commission,
7 Department of Human Rights, Department of Human Services,
8 Illinois State Board of Investment, Department of Juvenile
9 Justice, Office of the Lieutenant Governor, Department of
10 Labor, Illinois Labor Relations Board, Illinois Law
11 Enforcement Training Standards Board, Illinois Liquor Control
12 Commission, Illinois Lottery, Governor's Office of Management
13 and Budget, Illinois Medical District Commission, Department
14 of Military Affairs, Department of Natural Resources,
15 Pollution Control Board, Prairie State 2000 Authority,
16 Property Tax Appeal Board, Department of Public Health,
17 Illinois Prisoner Review Board, Illinois Racing Board,
18 Department of Revenue, Office of the Secretary of State, State
19 Fire Marshal, Illinois State Police, State Police Merit Board,
20 State Retirement Systems, Office of the State Treasurer, State
21 Universities Civil Service System, State Universities
22 Retirement System, Illinois Student Assistance Commission,
23 Illinois Supreme Court, Illinois Teachers' Retirement System,
24 Illinois State Toll Highway Authority, Department of
25 Transportation, Department of Veterans' Affairs ~~Veterans~~
26 ~~Affairs~~, Governor's Office of Women's Affairs, and Illinois

1 Workers' Compensation Commission.

2 (Source: P.A. 96-593, eff. 8-18-09.)

3 Section 25. The Illinois Procurement Code is amended by
4 changing Section 45-67 as follows:

5 (30 ILCS 500/45-67)

6 Sec. 45-67. Encouragement to hire qualified veterans. A
7 chief procurement officer may, as part of any solicitation,
8 encourage potential contractors to consider hiring qualified
9 veterans and to notify them of any available financial
10 incentives or other advantages associated with hiring such
11 persons. In establishing internal guidelines in furtherance of
12 this Section, the Department of Central Management Services may
13 work with an interagency advisory committee consisting of
14 representatives from the Department of Veterans' ~~Veterans~~
15 Affairs, the Department of Employment Security, the Department
16 of Commerce and Economic Opportunity, and the Department of
17 Revenue and consisting of 8 members of the General Assembly, 2
18 of whom are appointed by the Speaker of the House of
19 Representatives, 2 of whom are appointed by the President of
20 the Senate, 2 of whom are appointed by the Minority Leader of
21 the House of Representatives, and 2 of whom are appointed by
22 the Minority Leader of the Senate.

23 For the purposes of this Section, "qualified veteran" means
24 an Illinois resident who: (i) was a member of the Armed Forces

1 of the United States, a member of the Illinois National Guard,
2 or a member of any reserve component of the Armed Forces of the
3 United States; (ii) served on active duty in connection with
4 Operation Desert Storm, Operation Enduring Freedom, or
5 Operation Iraqi Freedom; and (iii) was honorably discharged.

6 The Department of Central Management Services must report
7 to the Governor and to the General Assembly by December 31 of
8 each year on the activities undertaken by chief procurement
9 officers and the Department of Central Management Services to
10 encourage potential contractors to consider hiring qualified
11 veterans. The report must include the number of vendors who
12 have hired qualified veterans.

13 (Source: P.A. 98-1076, eff. 1-1-15; revised 9-9-16.)

14 Section 30. The Nursing Home Care Act is amended by
15 changing Section 2-215 as follows:

16 (210 ILCS 45/2-215)

17 Sec. 2-215. Conflicts with the Department of Veterans'
18 ~~Veterans~~ Affairs Act. If there is a conflict between the
19 provisions of this Act and the provisions of the Department of
20 Veterans' ~~Veterans~~ Affairs Act concerning an Illinois Veterans
21 Home not operated by the Department of Veterans' Affairs, then
22 the provisions of this Act shall apply.

23 (Source: P.A. 90-168, eff. 7-23-97.)

1 Section 35. The Viet Nam Veterans Compensation Act is
2 amended by changing Sections 3 and 5 as follows:

3 (330 ILCS 30/3) (from Ch. 126 1/2, par. 57.53)

4 Sec. 3. The widow or widower, child or children, mother,
5 father, person standing in loco parentis, brothers and sisters,
6 in the order named, of any deceased person shall be paid the
7 compensation to which the deceased person would be entitled
8 under Section 2 of this Act. Where such deceased person would
9 have qualified for compensation under Section 2 except for his
10 death and his death was connected with such service and
11 resulted from such service during the time period specified in
12 Section 2, his survivors, in the order named in this Section,
13 shall be paid \$1000.

14 Where a preceding beneficiary fails to file a claim for
15 compensation after the official notice of death the Department
16 of Veterans' Affairs ~~Illinois Veterans' Commission~~ may proceed
17 to process applications from succeeding beneficiaries, and
18 such beneficiaries may then proceed to qualify upon submission
19 of satisfactory proof of eligibility.

20 (Source: P.A. 78-295.)

21 (330 ILCS 30/5) (from Ch. 126 1/2, par. 57.55)

22 Sec. 5. The Department of Veterans' Affairs ~~Illinois~~
23 ~~Veterans' Commission~~ has complete charge and control of the
24 general scheme of payments authorized by this Act and shall

1 adopt general rules for the making of such payments, the
2 ascertainment and selection of proper beneficiaries and the
3 amount to which such beneficiaries are entitled, and for
4 procedure.

5 If the person to whom compensation is payable under this
6 Act is under legal disability, it shall be paid to the person
7 legally vested with the care of such legally disabled person
8 under the laws of his State of residence. If no such person has
9 been so designated for the legally disabled person, payment
10 shall be made to the chief officer of any hospital or
11 institution under the supervision or control of any State or of
12 the Veterans Administration of the United States in which such
13 legally disabled person is placed, if such officer is
14 authorized to accept moneys for the benefit of the incompetent.
15 Any payments so made shall be held or used solely for the
16 benefit of the legally disabled person.

17 As used in this Section, a person under legal disability
18 means any person found to be so disabled by a court of
19 competent jurisdiction of any State or the District of Columbia
20 or by any adjudication officer of the Veterans Administration
21 of the United States.

22 (Source: P.A. 83-706.)

23 Section 40. The Prisoner of War Bonus Act is amended by
24 changing Section 2 as follows:

1 (330 ILCS 35/2) (from Ch. 126 1/2, par. 57.62)

2 Sec. 2. The widow or widower, child or children, mother,
3 father, person standing in loco parentis, brothers and sisters,
4 in the order named, of any deceased person shall be paid the
5 compensation to which the deceased person would be entitled
6 under Section 1 of this Act.

7 Where a preceding beneficiary fails to file a claim for
8 compensation after the official notice of death the Department
9 of Veterans' Affairs ~~Illinois Veterans' Commission~~ may proceed
10 to process applications from succeeding beneficiaries and such
11 beneficiaries may then proceed to qualify upon submission of
12 satisfactory proof of eligibility.

13 (Source: P.A. 78-293.)

14 Section 45. The Veterans Burial Places Act is amended by
15 changing Section 3 as follows:

16 (330 ILCS 110/3) (from Ch. 21, par. 59c)

17 Sec. 3. For the purpose of locating the burial places of
18 United States War Veterans, the different Veteran
19 organizations, their auxiliaries and affiliated organizations
20 in the State of Illinois are authorized, without expense to the
21 State, to collect the required data and prepare and file with
22 the Department of Veterans' Affairs the information provided
23 for in section 1 hereof. For filing and recording this report,
24 the Department of Veterans' Affairs ~~Illinois Veterans'~~

1 ~~Commission~~ may charge a fee of 25 cents for a single report and
2 not to exceed 50 cents per folio for reports containing more
3 than one name and more than one folio. A representative of the
4 Department of Veterans' Affairs may visit cemeteries of the
5 State or resort to any other reliable means to locate the
6 burial places of United States War Veterans.

7 (Source: P.A. 81-167.)

8 Section 50. The Illinois Vehicle Code is amended by
9 changing Section 3-626 as follows:

10 (625 ILCS 5/3-626)

11 Sec. 3-626. Korean War Veteran license plates.

12 (a) In addition to any other special license plate, the
13 Secretary, upon receipt of all applicable fees and applications
14 made in the form prescribed by the Secretary of State, may
15 issue special registration plates designated as Korean War
16 Veteran license plates to residents of Illinois who
17 participated in the United States Armed Forces during the
18 Korean War. The special plate issued under this Section shall
19 be affixed only to passenger vehicles of the first division,
20 motorcycles, motor vehicles of the second division weighing not
21 more than 8,000 pounds, and recreational vehicles as defined by
22 Section 1-169 of this Code. Plates issued under this Section
23 shall expire according to the staggered multi-year procedure
24 established by Section 3-414.1 of this Code.

1 (b) The design, color, and format of the plates shall be
2 wholly within the discretion of the Secretary of State. The
3 Secretary may, in his or her discretion, allow the plates to be
4 issued as vanity plates or personalized in accordance with
5 Section 3-405.1 of this Code. The plates are not required to
6 designate "Land Of Lincoln", as prescribed in subsection (b) of
7 Section 3-412 of this Code. The Secretary shall prescribe the
8 eligibility requirements and, in his or her discretion, shall
9 approve and prescribe stickers or decals as provided under
10 Section 3-412.

11 (c) (Blank).

12 (d) The Korean War Memorial Construction Fund is created as
13 a special fund in the State treasury. All moneys in the Korean
14 War Memorial Construction Fund shall, subject to
15 appropriation, be used by the Department of Veterans' ~~Veteran~~
16 Affairs to provide grants for construction of the Korean War
17 Memorial to be located at Oak Ridge Cemetery in Springfield,
18 Illinois. Upon the completion of the Memorial, the Department
19 of Veterans' ~~Veteran~~ Affairs shall certify to the State
20 Treasurer that the construction of the Memorial has been
21 completed. Upon the certification by the Department of
22 Veterans' ~~Veteran~~ Affairs, the State Treasurer shall transfer
23 all moneys in the Fund and any future deposits into the Fund
24 into the Secretary of State Special License Plate Fund.

25 (e) An individual who has been issued Korean War Veteran
26 license plates for a vehicle and who has been approved for

1 benefits under the Senior Citizens and Persons with
2 Disabilities Property Tax Relief Act shall pay the original
3 issuance and the regular annual fee for the registration of the
4 vehicle as provided in Section 3-806.3 of this Code.

5 (Source: P.A. 99-127, eff. 1-1-16; 99-143, eff. 7-27-15;
6 99-642, eff. 7-28-16.)

7 Section 99. Effective date. This Act takes effect January
8 1, 2018.