



Rep. Stephanie A. Kifowit

Filed: 3/1/2022

10200HB5184ham001

LRB102 23259 KTG 37233 a

1 AMENDMENT TO HOUSE BILL 5184

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 5184 by replacing  
3 everything after the enacting clause with the following:

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

6 (55 ILCS 5/5-2006) (from Ch. 34, par. 5-2006)

7 Sec. 5-2006. Tax for Veterans Assistance Commission  
8 ~~veterans assistance commission~~. The county board of each  
9 county having a population of less than 3 million in which  
10 there is a Veterans Assistance Commission as provided in  
11 Section 9 of the Military Veterans Assistance Act may levy a  
12 tax of not to exceed .03% of the assessed value annually on all  
13 taxable property of the county, for the purpose of providing  
14 assistance to military veterans and their families pursuant to  
15 such Act. Whenever not less than 10% of the electors of the  
16 county petition the county board to levy the tax at not to

1 exceed .04% of the assessed value, the county board shall  
2 certify the proposition to the proper election officials who  
3 shall submit the proposition at the next general election in  
4 accordance with the general election law. If a majority of the  
5 electors vote in favor of the proposition, the county board  
6 may, annually, levy the tax as authorized. The proceeds of any  
7 tax so levied shall be used exclusively for the assistance  
8 purposes authorized thereunder, and a portion thereof may be  
9 expended for the salaries or expenses of any officers or  
10 employees of the Veterans Assistance Commission or for any  
11 other expenses incident to the administration of such  
12 assistance.

13 The tax shall be separate from the ~~in addition to all other~~  
14 ~~taxes which the county is authorized to~~ levy on the aggregate  
15 valuation of the property within the county and shall not be  
16 included in any tax limitation of the rate upon which taxes are  
17 required to be extended, but shall be excluded therefrom and  
18 in addition thereto. The tax shall be levied and collected in  
19 like manner as the general taxes of the county, and, when  
20 collected, shall be paid into a special fund in the county  
21 treasury and used only as herein authorized, or disbursed from  
22 the county treasury of a county in which a properly organized  
23 Veterans Assistance Commission is authorized under Section  
24 3-11008 of this Code.

25 The limitations on tax rates herein provided may be  
26 increased or decreased under the referendum provisions of the

1 General Revenue Law of Illinois.

2 If a county has levied the tax herein authorized or  
3 otherwise meets the conditions set out in Section 12-21.13 of  
4 "the Illinois Public Aid Code", to qualify for State funds to  
5 supplement local funds for public purposes under Articles III,  
6 IV, V, VI, and VII, and IX of that Code and otherwise meets the  
7 conditions set out in Article XII of that Code for receipt of  
8 State aid, the Illinois Department of Human Services shall  
9 allocate and pay to the county such additional sums as it  
10 determines to be necessary to meet the needs of assistance to  
11 military veterans and their families in the county and  
12 expenses incident to the administration of such assistance.  
13 County Veterans Assistance Commissions shall be in charge of  
14 the administration of such assistance provided under Articles  
15 VI and IX of the Illinois Public Aid Code for military veterans  
16 and their families.

17

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

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

21 (305 ILCS 5/2-14) (from Ch. 23, par. 2-14)

22 Sec. 2-14. "Local governmental unit". Every county, city,  
23 village, incorporated town or township charged with the duty  
24 of providing public aid under Article VI; and County Veterans

1 Assistance Commissions providing general assistance to  
2 ~~indigent-war~~ veterans and their families under Section  
3 12-21.13 of Article XII.

4 However, should any Section of this Code impose the  
5 obligation of providing medical assistance to persons who are  
6 non-residents of the State of Illinois upon a local  
7 governmental unit, the term "local governmental unit" shall  
8 not include townships. In such case the obligation for  
9 providing medical assistance to non-residents which would  
10 otherwise be the duty of a township shall become the  
11 obligation of the Department of Healthcare and Family  
12 Services.

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

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

17 (330 ILCS 45/1) (from Ch. 23, par. 3081)

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

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

22 ~~The term~~ "Administrator Overseer of military veterans  
23 assistance" means the commanders of the various veteran  
24 service organizations, the superintendent of a County Veterans

1 ~~Assistance Commission, or other~~ , ~~as used in this Act, shall be~~  
2 ~~construed to mean all~~ persons whose duty it is, under the  
3 existing statutes, to care for, relieve or maintain, wholly or  
4 in part, any person who may be entitled to such assistance  
5 under the statutes of the State of Illinois. This Act shall not  
6 infringe upon the mandated powers and authorities vested in  
7 the Illinois Department of Veterans' Affairs.

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

9 (330 ILCS 45/2) (from Ch. 23, par. 3082)

10 Sec. 2. For the just, necessary, and needed assistance and  
11 services ~~assistance~~ of military veterans, who served in the  
12 Armed Forces of the United States and did not receive a bad  
13 conduct or dishonorable discharge , ~~whose last discharge from~~  
14 ~~the service was honorable~~ to be eligible for assistance, their  
15 families, and the families of deceased veterans with service  
16 as described in this Section who need assistance and services.

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

1 Assistance Commission.

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

4 (i) a tax levied under Section 5-2006 of the  
5 Counties Code and Section 12-21.13 of the Illinois  
6 Public Aid Code;

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

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

11 (B) The minimum amount to be provided annually to  
12 Veterans Assistance Commissions is provided in Section  
13 12-21.13 of the Illinois Public Aid Code, unless the  
14 delegates of the County Veterans Assistance Commission  
15 determine that a lesser amount covers the just and  
16 necessary sums.

17 (2) If any supervisor of general assistance or county  
18 board fails or refuses after such recommendation to  
19 provide ~~any~~ just and necessary sums of money for such  
20 assistance, then the veteran service organization  
21 ~~commander, post, chapter, or detachment~~ or the  
22 superintendent of any Veterans' Assistance Commission  
23 located in the district of such supervisor of general  
24 assistance or such county board shall apply to the circuit  
25 court of the district or county for relief by mandamus  
26 upon the supervisor of general assistance or county board

1 requiring him, her or it to pay, or to appropriate and pay  
2 such sums of money, and upon proof made of the justice and  
3 necessity of the claim, the circuit court shall grant the  
4 sums so requested ~~such assistance~~.

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

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

13 (330 ILCS 45/3) (from Ch. 23, par. 3083)

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

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

1 (330 ILCS 45/4) (from Ch. 23, par. 3084)

2 Sec. 4. Upon the taking effect of this Act, the commander  
3 of any veteran service organization, or in a county in which a  
4 County Veterans Assistance Commission is properly created ~~post~~  
5 ~~or camp of a military veterans organization,~~ which shall  
6 undertake the assistance of military veterans and their  
7 families, as hereinbefore provided, before the acts of the  
8 commander, quartermaster or commandant shall be operative in  
9 any city or town, shall file with the city clerk of such city  
10 or town clerk of such town, or administrator ~~overseer~~ of  
11 military veterans assistance of such town or county, a notice  
12 that said veteran service organization ~~post, camp, chapter or~~  
13 ~~detachment~~ intends to undertake such assistance as is provided  
14 by this Act, and such notice shall contain the names of the  
15 assistance committee of the veteran service organization ~~post,~~  
16 ~~camp, chapter or detachment~~ in such city or town, and the  
17 commander and other officers of said veteran service  
18 organization ~~post, camp, chapter or detachment~~. And the  
19 commander of the veteran service organization ~~post, camp,~~  
20 ~~chapter or detachment~~ shall annually thereafter, during the  
21 month of October, file a similar notice with the city or town  
22 clerk, or the administrator ~~overseer~~ of military veterans  
23 assistance, also a detailed statement of the amount of  
24 assistance furnished during the preceding year, with the names  
25 of all persons to whom such assistance shall have been  
26 furnished, together with a brief statement in such case from



1 the assistance committee upon whose recommendation the orders  
2 were drawn. Any person who fails or neglects so to do at the  
3 time required by this Act shall be guilty of a petty offense  
4 and fined \$250 to be recovered in the name of the county in the  
5 circuit court.

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

7 (330 ILCS 45/5) (from Ch. 23, par. 3085)

8 Sec. 5. The auditing board of any city or town or county  
9 auditor, or the administrator ~~overseer~~ of military veterans  
10 assistance of any city, town, or county, which shall be the  
11 superintendent of any properly organized Veterans Assistance  
12 Commission, may require of the commander, quartermaster of any  
13 veteran service organization, or superintendent of any  
14 properly organized Veterans Assistance Commission ~~or~~  
15 ~~detachment of any post or camp of a military veterans~~  
16 ~~organization~~, undertaking such assistance in any city or town,  
17 a bond with sufficient and satisfactory sureties for the  
18 faithful and honest discharge of their duties under this Act.

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

20 (330 ILCS 45/6) (from Ch. 23, par. 3086)

21 Sec. 6. ~~Overseers of military veterans assistance are~~  
22 ~~hereby prohibited from sending military veterans (or their~~  
23 ~~families or the families of those deceased) to any almshouse~~  
24 ~~(or orphan asylum) without the full concurrence and consent of~~

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

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

21 (330 ILCS 45/7) (from Ch. 23, par. 3087)

22 Sec. 7. In case there shall be within the limits of any  
23 city or town more than one veteran service organization ~~post~~  
24 ~~or camp of military veterans organizations~~, it shall be the  
25 duty of the commander of each veteran service organization

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

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

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

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

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

20 (330 ILCS 45/9) (from Ch. 23, par. 3089)

21 Sec. 9. Veterans Assistance Commission.

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

1 the veteran service organizations may come together to form a  
2 ~~a central assistance committee may be organized to be known as~~  
3 ~~the~~ Veterans Assistance Commission of such county. The  
4 Veterans Assistance Commission of such county shall act as the  
5 central service office for all veterans and their families and  
6 for the families of deceased veterans. The Commission shall be  
7 ~~7~~ composed of delegates and alternates from a majority of such  
8 veteran service organizations ~~posts, camps, units, and~~  
9 ~~chapters or ship~~ selected annually as determined by each  
10 veteran service organization ~~post, ship, camp, or chapter.~~  
11 When so organized a Commission ~~commission~~ shall be clothed  
12 with all the powers and charged with all the duties  
13 theretofore devolving upon the different veteran service  
14 organizations within the county ~~posts and chapters as provided~~  
15 ~~in Section 2.~~

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

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

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

9            (3) In counties with 5 or more veteran service  
10        organizations ~~posts, camps, units, chapters, ships, or~~  
11        ~~detachments of the same military veterans organization,~~  
12        all the constituent veteran service organizations ~~posts,~~  
13        ~~camps, units, chapters, ships, or detachments of such~~  
14        ~~military organizations~~ shall be permitted to select a  
15        single delegate and single alternate to represent that  
16        veteran service organization ~~military veterans~~  
17        ~~organization~~ instead of each constituent veteran service  
18        organization ~~post, camp, unit, chapter, ship, or~~  
19        ~~detachment~~ selecting one delegate and one alternate. For  
20        the purposes of meeting the majority requirement of this  
21        subsection, when the constituent groups of a veteran  
22        service organization ~~military veterans organization~~ choose  
23        to select a single delegate and single alternate, the  
24        single delegate and single alternate shall represent the  
25        aggregate percentage of the constituent groups.

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

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

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

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

26 (c) The Veterans Assistance Commission shall be in charge

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

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

15 (330 ILCS 45/10) (from Ch. 23, par. 3090)

16 Sec. 10. The executive powers of the Commission ~~commission~~  
17 shall be vested in a superintendent elected by the Commission  
18 ~~commission from among those~~ who served in the armed forces of  
19 the United States and did not receive a bad conduct or  
20 dishonorable discharge. The ~~superintendent,~~ designated  
21 superintendent of veterans assistance ~~Superintendent of~~  
22 ~~Veterans Assistance~~ of the county, shall, under the direction  
23 of the Commission ~~commission~~, have charge of and maintain an  
24 office in the county building or a ~~other~~ central location  
25 within the county, to be used solely by the Commission

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

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



1 that they are employees of the county.

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

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

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

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

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

1 (330 ILCS 45/11 rep.)

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