



## 102ND GENERAL ASSEMBLY

### State of Illinois

2021 and 2022

HB5542

Introduced 1/31/2022, by Rep. Stephanie A. Kifowit

#### SYNOPSIS AS INTRODUCED:

20 ILCS 2805/37

Amends the Department of Veterans' Affairs Act. Deletes the term "no-wrong-door" in provisions regarding the system of support for service members, veterans, and their families. Removes provisions requiring the Illinois Joining Forces Foundation (Foundation) to utilize working groups when convening military and veteran support organizations and when providing policy recommendations that benefit service members, veterans, and their families. Removes provisions requiring the Foundation to facilitate the transfer of information and knowledge among Illinois Joining Forces member organizations. Makes changes to the definition of "veterans service organization". Provides that the Foundation may also include up to 18 additional voting members of the Board of Directors: 9 members to be nominated and approved by the Board of Directors according to the Foundation's bylaws, and 9 members to be nominated by the Director of Veterans' Affairs or the Director of Military Affairs. Provides that, to ensure parity, no additional nominees may be considered by the Board of Directors unless a like appointment is made by the Department of Veterans' Affairs or the Department of Military Affairs, and vice versa. Provides that, in consultation with the Foundation's Board of Directors, the Department of Veterans' Affairs or the Department of Military Affairs may adopt other rules deemed necessary to govern Foundation procedures (rather than the Department of Veterans' Affairs may adopt rules in consultation with the Department of Military Affairs). Permits the Foundation to receive services, including, but not limited to, contractual services, provided by either the Department of Veterans' Affairs or the Department of Military Affairs.

LRB102 25021 RAM 34278 b

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 Section 37 as follows:

6 (20 ILCS 2805/37)

7 Sec. 37. Illinois Joining Forces Foundation.

8 (a) The General Assembly finds that navigating the "sea of  
9 goodwill" for those who serve in uniform is one of the greatest  
10 challenges that transitioning veterans face; as a result, they  
11 risk being unable to access many of the federal, State, and  
12 non-profit resources available to them. Recognizing this  
13 problem, the Department of Veterans' Affairs and the  
14 Department of Military Affairs acted to establish the Illinois  
15 Joining Forces initiative, a public-private network of  
16 military and veteran-serving organizations that are working  
17 together, in person and online, to create a ~~no wrong door~~  
18 system of support for the State's military and veteran  
19 communities. Illinois Joining Forces is a nation-leading  
20 model, awarded by the U.S. Department of Veterans Affairs and  
21 the National Association of State Directors of Veterans  
22 Affairs for its groundbreaking work in creating smarter,  
23 collaborative community support for those in uniform, past and

1 present. The foundation created by this amendatory Act of the  
2 98th General Assembly will serve to ensure the long-term  
3 sustainability of Illinois Joining Forces, which is critically  
4 important for the support of the State's military and veteran  
5 communities.

6 (b) The Illinois Joining Forces Foundation shall benefit  
7 service members, veterans, and their families by:

8 (1) convening military and veteran support  
9 organizations, ~~through Illinois Joining Forces working~~  
10 ~~groups,~~ to build cross-sector relationships and mutual  
11 awareness;

12 (2) providing policy recommendations ~~through Illinois~~  
13 ~~Joining Forces member working groups to the Illinois~~  
14 ~~Veterans' Advisory Council;~~

15 ~~(3) facilitating the transfer of information and~~  
16 ~~knowledge among Illinois Joining Forces member~~  
17 ~~organizations;~~

18 ~~(4) maintaining and continuing to build the~~  
19 ~~no wrong door online navigation platform;~~

20 (3) ~~(5)~~ educating ~~Illinois Joining Forces members and~~  
21 ~~other~~ community providers regarding military and veteran  
22 culture and needs, thus improving the collective capacity  
23 of the support system; and

24 (4) ~~(6)~~ outreaching directly to service members,  
25 veterans, and their families regarding the ~~no wrong door~~  
26 system of support that Illinois Joining Forces provides to

1           them.

2           (c) For the purpose of this Section, "veterans service  
3 organization" means an organization that meets all of the  
4 following criteria:

5           (1) The organization is formed by and for United  
6 States military veterans.

7           (2) The organization is chartered by the United States  
8 Congress and incorporated in the State of Illinois.

9           (3) The organization has maintained a State  
10 headquarters office in Illinois for the 10-year period  
11 immediately preceding the effective date of this  
12 amendatory Act of the 98th General Assembly.

13           (4) The organization maintains at least one office in  
14 this State, staffed by a veterans service officer.

15           (5) The organization is capable of preparing a power  
16 of attorney for a veteran and processing claims for  
17 veterans services.

18           ~~(6) The organization is not funded by the State of~~  
19 ~~Illinois or by any county in this State.~~

20           (d) The General Assembly authorizes the Department of  
21 Veterans' Affairs, in accordance with Section 10 of the State  
22 Agency Entity Creation Act, to create the Illinois Joining  
23 Forces Foundation as a not-for-profit foundation. The  
24 Department shall file articles of incorporation as required  
25 under the General Not For Profit Corporation Act of 1986 to  
26 create the Foundation.

1           The Foundation's Board of Directors shall be appointed as  
2 follows: one member appointed by the Governor; one member  
3 appointed by the President of the Senate; one member appointed  
4 by the Minority Leader of the Senate; one member appointed by  
5 the Speaker of the House of Representatives; and one member  
6 appointed by the Minority Leader of the House of  
7 Representatives; ~~and all of the members of the Illinois~~  
8 ~~Joining Forces Executive Committee, who shall be appointed by~~  
9 ~~the Director of Veterans' Affairs.~~

10           The Foundation may also include up to 18 additional voting  
11 members of the Board of Directors: up to 9 members to be  
12 nominated and approved by the Board of Directors according to  
13 the Foundation's bylaws, and up to 9 members to be appointed by  
14 the Director of Veterans' Affairs or the Director of Military  
15 Affairs. The Board shall have an equal number of board or  
16 department appointed members. To ensure parity, no additional  
17 nominee may be considered by the Board of Directors unless a  
18 like appointment is made by the Department of Veterans'  
19 Affairs or the Department of Military Affairs, and vice versa.

20           In addition to any veterans service organization  
21 otherwise represented on the Board of Directors, a veterans  
22 service organization may designate in writing an ex officio,  
23 non-voting participant to the Board of Directors. Any veterans  
24 service organization appointee under this provision ~~Section~~  
25 does not count towards a quorum.

26           The Director of Veterans' Affairs, or the Director's

1 designee, and a designee chosen by the Director of Military  
2 Affairs who is a senior management official of the Department  
3 of Military Affairs with the authority to make decisions on  
4 behalf of the agency shall serve as members of the  
5 Foundation's Board of Directors. Board of Director  
6 appointments shall be for 2-year terms. Vacancies shall be  
7 filled by the official who made the statutory appointment  
8 ~~recommendation for the vacated appointment~~. No member of the  
9 Board of Directors may receive compensation for his or her  
10 services to the Foundation. Upon appointment, the Board of  
11 Directors, as members of a public entity, shall be represented  
12 and indemnified pursuant to the requirements of the State  
13 Employee Indemnification Act.

14 (e) The purposes of the Foundation are to: promote,  
15 support, assist, and sustain Illinois Joining Forces  
16 operations; solicit and accept grants and private donations  
17 and disburse them for the stated intent of the Foundation or  
18 the private donor; solicit and generate public and private  
19 funding and donations that assist in enhancing the Illinois  
20 Joining Forces mission, services, programs, and operations;  
21 and engage generally in other lawful endeavors consistent with  
22 the foregoing purposes. The foundation shall operate within  
23 the provisions of the General Not For Profit Corporation Act  
24 of 1986.

25 (f) The ~~As soon as practicable after the Foundation is~~  
26 ~~created,~~ the Board of Directors shall meet, organize, and

1 designate, by majority vote, a chairperson, a treasurer, a  
2 secretary, and any additional officers that may be needed to  
3 carry out the activities of the Foundation and shall adopt  
4 bylaws of the Foundation. In consultation with the  
5 Foundation's Board of Directors, the Department of Veterans'  
6 Affairs or the Department of Military Affairs may provide  
7 assistance in adopting other rules deemed necessary to govern  
8 Foundation procedures. ~~The Department of Veterans' Affairs, in~~  
9 ~~consultation with the Department of Military Affairs, may~~  
10 ~~adopt other rules deemed necessary to govern Foundation~~  
11 ~~procedures.~~

12 (g) The Foundation may request and accept gifts, grants,  
13 donations, or bequests from the federal government or its  
14 agencies or officers or from any person, firm, or corporation,  
15 and may expend receipts on activities that it considers  
16 suitable to the performance of its duties under this Section  
17 and consistent with any requirement of the grant, gift,  
18 donation, or bequest. Funds collected by the Foundation shall  
19 be considered private funds and shall be held in an  
20 appropriate account outside of the State treasury. Private  
21 funds collected by the Foundation are not subject to the  
22 Public Funds Investment Act. The treasurer of the Foundation  
23 shall be the custodian of all Foundation funds. The treasurer  
24 shall be required to obtain a fidelity or surety bond on  
25 satisfactory terms and in sufficient amounts to protect the  
26 interests of the Foundation, the cost of which shall be

1 reimbursed by the Foundation. The Foundation and its officers  
2 shall be responsible for the approval of the recording of  
3 receipts, approval of payments, and the proper filing of  
4 required reports. The Foundation may be assisted in carrying  
5 out its functions by Department of Military Affairs and  
6 Department of Veterans' Affairs personnel as determined by the  
7 respective Directors. The Department of Military Affairs and  
8 the Department of Veterans' Affairs may ~~shall~~ provide  
9 reasonable assistance to the Foundation to achieve the  
10 purposes of the Foundation as determined by the respective  
11 Directors. The Foundation shall cooperate fully with the  
12 boards, commissions, agencies, departments, and institutions  
13 of the State. The funds held and made available by the Illinois  
14 Joining Forces Foundation shall be subject to financial and  
15 compliance audits in accordance with the Illinois State  
16 Auditing Act. The Foundation shall not have any power of  
17 eminent domain. The Foundation shall not construct or make any  
18 permanent improvements to any real property.

19 (h) The Foundation must provide a written notice to any  
20 entity providing a gift, grant, donation, or bequest to the  
21 Foundation that the Foundation is not subject to the  
22 provisions of the Public Funds Investment Act, which Act  
23 places limitations on the types of securities in which a  
24 public agency may invest public funds.

25 (i) Notwithstanding any law to the contrary, the  
26 Foundation is not eligible for any grant administered ~~or~~



1 ~~funded~~ by the Department of Veterans' Affairs or the  
2 Department of Military Affairs, but may receive services,  
3 including, but not limited to, contractual services, provided  
4 by either Department.

5 (Source: P.A. 100-10, eff. 6-30-17.)