



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

HB5853

by Rep. Stephanie A. Kifowit

SYNOPSIS AS INTRODUCED:

See Index

Amends the Military Veterans Assistance Act. Requires the commander, quartermaster, or commandant of any veteran service organization or the superintendent of any county Veterans Assistance Commission to annually report to the president or chairperson of the county board certain transactions of the veteran service organization or Veterans Assistance Commission. Provides that delegates and alternates selected and duly appointed to sit on a county's Veterans Assistance Commission shall begin their term of office with full voting rights. Provides that all undertakings of, or actions taken by, the Veterans Assistance Commission shall require a vote from a majority of the full commission membership. Provides that any delegate or alternate selected, appointed, or hired to serve as the superintendent or as any other officer or employee of the Veterans Assistance Commission must immediately give up the position of delegate or alternate. Provides that the superintendent of the Veterans Assistance Commission is an at-will employee. Contains provisions concerning the annual evaluations of the superintendent; voting requirements to remove a superintendent; and other matters. Requires each Veterans Assistance Commission to establish and maintain bylaws, perform an annual audit, and other matters. Permits the Attorney General to conduct investigations and commence civil actions to enforce the Act. Sets forth provisions concerning recovery amounts and civil penalties. Contains provisions concerning superintendent vacancies; and county benefits and services for Veterans Assistance Commission employees. Limits home rule powers. Makes other changes. Amends the Counties Code. Provides that a portion of the proceeds of any property tax levied by a county shall be used for the authorized reimbursement of any officer or employee of the Veterans Assistance Commission. Effective January 1, 2023.

LRB102 29840 KTG 41966 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 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 (Text of Section after amendment by P.A. 102-732)

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

1 assistance purposes authorized thereunder, and a portion
2 thereof may be expended for the salaries ~~or expenses~~ of any
3 officers or employees of the Veterans Assistance Commission,
4 for the authorized reimbursement of any officer or employee of
5 the Veterans Assistance Commission, as provided in Section 10
6 of the Military Veterans Assistance Act, or for any other
7 expenses incident to the administration of such assistance.

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

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

23 If a county has levied the tax herein authorized or
24 otherwise meets the conditions set out in Section 12-21.13 of
25 the Illinois Public Aid Code, to qualify for State funds to
26 supplement local funds for public purposes under Articles III,

1 IV, V, VI, and IX of that Code and otherwise meets the
2 conditions set out in Article XII of that Code for receipt of
3 State aid, the Illinois Department of Human Services shall
4 allocate and pay to the county such additional sums as it
5 determines to be necessary to meet the needs of assistance to
6 military veterans and their families in the county and
7 expenses incident to the administration of such assistance. In
8 counties where a Veterans Assistance Commission has been
9 properly created, those County Veterans Assistance Commissions
10 shall be in charge of the administration of such assistance
11 provided under the Illinois Public Aid Code for military
12 veterans and their families.

13 (Source: P.A. 102-732, eff. 1-1-23.)

14 Section 10. The Military Veterans Assistance Act is
15 amended by changing Sections 1, 2, 8, 9, and 10 and by adding
16 Sections 9.1, 9.2, and 12 as follows:

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

18 (Text of Section after amendment by P.A. 102-732)

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

20 "Veteran service organization" means a post, ship, camp,
21 chapter, or detachment of a congressionally chartered or state
22 chartered organization that (i) is formed by and for veterans,
23 (ii) has a paid membership of at least 15 individuals, and
24 (iii) provides responsible aid, assistance, or services to the

1 veteran community.

2 "Administrator of military veterans assistance" means the
3 commanders of the various veteran service organizations, the
4 superintendent of a County Veterans Assistance Commission, or
5 other persons whose duty it is, under the existing statutes,
6 to care for, relieve or maintain, wholly or in part, any person
7 who may be entitled to such assistance under the statutes of
8 the State of Illinois. This Act shall not infringe upon the
9 mandated powers and authorities vested in the Illinois
10 Department of Veterans' Affairs.

11 (Source: P.A. 102-732, eff. 1-1-23.)

12 (330 ILCS 45/2) (from Ch. 23, par. 3082)

13 (Text of Section after amendment by P.A. 102-732)

14 Sec. 2. The purpose of this Act is, in part, to provide, in
15 accordance with this Section, For the just and 7 necessary,
16 ~~and needed~~ assistance and services to ~~of~~ military veterans,
17 who served in the Armed Forces of the United States and whose
18 last discharge from the service was honorable or general under
19 honorable conditions ~~to be eligible for assistance,~~ to their
20 families, and to the families of deceased veterans with
21 service ~~as described in this Section~~ who need such assistance
22 and services. The following actions shall be taken in support
23 of that purpose:

24 (1) The supervisor of general assistance or the county
25 board shall provide such sums of money as may be just and

1 necessary to be drawn by the commander, quartermaster or
2 commandant of any veterans service organization, in the
3 city or town, or the superintendent of any Veterans'
4 Assistance Commission of the county, upon the
5 recommendation of the assistance committee of that
6 veterans service organization or Veterans' Assistance
7 Commission.

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

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

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

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

17 (B) The minimum amount to be provided annually to
18 Veterans Assistance Commissions is provided in Section
19 12-21.13 of the Illinois Public Aid Code, unless the
20 delegates of the County Veterans Assistance Commission
21 determine that a lesser amount covers the just and
22 necessary sums.

23 (2) If any supervisor of general assistance or county
24 board fails or refuses after such recommendation to
25 provide just and necessary sums of money for such
26 assistance, then the veteran service organization or the

1 superintendent of any Veterans' Assistance Commission
2 located in the district of such supervisor of general
3 assistance or such county board shall apply to the circuit
4 court of the district or county for relief by mandamus
5 upon the supervisor of general assistance or county board
6 requiring him, her or it to pay, or to appropriate and pay
7 such sums of money, and upon proof made of the justice and
8 necessity of the claim, the circuit court shall grant the
9 sums so requested.

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

17 (Source: P.A. 102-732, eff. 1-1-23.)

18 (330 ILCS 45/8) (from Ch. 23, par. 3088)

19 (Text of Section after amendment by P.A. 102-732)

20 Sec. 8. The commander, quartermaster, or commandant of any
21 veteran service organization or the superintendent of any
22 county Veterans' Assistance Commission of Illinois shall
23 annually report to the Governor, on or before the first day of
24 January of each year, such portions of the transactions of the
25 aforementioned veteran service organization or Veterans

1 Assistance Commission relating thereto as the commander or
2 superintendent may deem to be of interest to that organization
3 and the people of the State. A copy of that report shall be
4 provided to the president or chairperson of the county board
5 and shall be made publicly available online.

6 (Source: P.A. 102-732, eff. 1-1-23.)

7 (330 ILCS 45/9) (from Ch. 23, par. 3089)

8 (Text of Section after amendment by P.A. 102-732)

9 Sec. 9. Veterans Assistance Commission.

10 (a) In counties having 2 or more veteran service
11 organizations as may be recognized by law, the veteran service
12 organizations may come together to form a Veterans Assistance
13 Commission of such county. The Veterans Assistance Commission
14 of such county may act as the central service office for all
15 veterans and their families and for the families of deceased
16 veterans. The Commission shall be composed of delegates and
17 alternates from a majority of such veteran service
18 organizations selected annually as determined by each veteran
19 service organization. When so organized a Commission shall be
20 clothed with all the powers and may be charged with all the
21 duties theretofore devolving upon the different veteran
22 service organizations within the county as provided in Section
23 2.

24 (1) Every January 1, all Veterans Assistance
25 Commissions shall publish a notice to each veteran service

1 organization within their respective county calling on
2 them to select delegates and alternates for that county's
3 Veterans Assistance Commission by the methods provided in
4 this subsection. The Veterans Assistance Commissions shall
5 allow each veteran service organization until March 1 to
6 respond, at which time those selected and duly appointed
7 delegates and alternates shall begin their term of office
8 with full voting rights.

9 (2) Except as provided in paragraph (3), veteran
10 service organizations shall be permitted to select one
11 delegate and one alternate.

12 (3) In counties with 5 or more of the same veteran
13 service organizations, all the constituent veteran service
14 organizations shall be permitted to select up to 5
15 delegates and 5 alternates ~~a single delegate and single~~
16 ~~alternate~~ to represent that veteran service organization
17 instead of each constituent veteran service organization
18 selecting one delegate and one alternate. For the purposes
19 of meeting the majority requirement of this subsection,
20 when the constituent groups of a veteran service
21 organization choose to select those delegates and
22 alternates, those selected and duly appointed delegates
23 and alternates ~~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 serves more than

1 one county, then it shall be permitted to select one
2 delegate and one alternate for the Veterans Assistance
3 Commission in each county in which at least 25% of its
4 members reside.

5 (5) All undertakings of, or actions taken by, the
6 Commission shall require a vote from a majority of the
7 full commission membership. No committee or other subgroup
8 of delegates and alternates formed by the Commission,
9 whether selected or appointed, may be granted the power or
10 authority to act in the place of or on behalf of the full
11 body of the duly selected or appointed Commission
12 membership.

13 (6) Any delegate or alternate selected, appointed, or
14 hired to serve as the superintendent or as any other
15 officer or employee of the Veterans Assistance Commission
16 must give up the position of delegate or alternate
17 immediately. No employee of the Veterans Assistance
18 Commission may retain the position of delegate or
19 alternate or any voting rights while employed by the
20 Veterans Assistance Commission.

21 (7) No committee or other subgroup of delegates and
22 alternates formed by the Commission, whether selected or
23 appointed, may bar any other duly appointed Commission
24 member from attending or otherwise being present during
25 any closed meetings or sessions of that committee or
26 group.

1 (8) The county may, at its discretion, appoint a
2 representative to the Commission who may attend any public
3 meeting of the Commission. That representative shall be a
4 veteran, may not have voting rights, may not hold any
5 office or title on the Commission, and may not be present
6 during any nonpublic meeting of the Commission.

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

18 (c) The superintendent of the Veterans Assistance
19 Commission, selected, appointed, or hired by the Commission is
20 an at-will employee who shall be answerable to, and shall
21 report to, the Commission.

22 (d) The superintendent shall be evaluated annually and a
23 written report shall be generated. A copy of the report from
24 the evaluation shall be provided to the entire Commission
25 membership.

26 (e) A superintendent may be removed from office if, after

1 delegates from no less than 3 different veteran service
2 organizations file a written request calling for the
3 superintendent's removal, there is a vote from a majority of
4 the full Commission membership in favor of such removal.

5 (f) Each Veterans Assistance Commission shall establish
6 and maintain bylaws that outline the framework, policies, and
7 procedures for conducting the business of the Commission and
8 for the rules and regulations that apply to its members. Those
9 bylaws shall reflect compliance with all relevant laws at the
10 time they are established and shall be revised as necessary to
11 remain in compliance with current law. The establishment of
12 those bylaws, and any revisions thereafter, shall require a
13 minimum two-thirds majority vote of approval from a majority
14 of the full Commission membership.

15 (g) Each Veterans Assistance Commission shall, in writing,
16 adopt all applicable policies already established and in place
17 in its respective county, including policies related to
18 compensation and employee rights, and shall adapt those
19 policies to fit its organizational structure. Those policies
20 shall then be considered the policies of the Veterans
21 Assistance Commission and they shall be implemented and
22 adhered to, accordingly, by the superintendent and by the
23 Commission.

24 (h) No warrant authorized under this Act may be issued for
25 the payment of money without the presentation of an itemized
26 statement or claim, approved by the superintendent of the

1 Commission and reported to the full Commission membership.

2 (i) Each Veterans Assistance Commission shall perform an
3 annual audit in accordance with the Governmental Account Audit
4 Act using either the auditing services provided by its
5 respective county or the services of an independent auditor
6 whose services shall be paid for by the Commission. A copy of
7 that audit report shall be provided to the president or
8 chairperson of the county board.

9 (j) Veterans Assistance Commissions and county boards
10 subject to this Act shall cooperate fully with the boards,
11 commissions, agencies, departments, and institutions of the
12 State. The funds held and made available by the county, the
13 State, or any other source shall be subject to financial and
14 compliance audits in accordance with the Illinois State
15 Auditing Act.

16 (k) ~~(e)~~ The Veterans Assistance Commission shall be in
17 charge of the administration of any benefits provided under
18 Articles VI and IX of the Illinois Public Aid Code for military
19 veterans and their families.

20 (l) The Veterans Assistance Commission shall represent
21 veterans in their application for or attempts to obtain
22 benefits and services through State and federal agencies,
23 including representing veterans in their appeals of adverse
24 decisions.

25 (m) The superintendent of the Veterans Assistance
26 Commission and its employees must comply with the procedures

1 and regulations adopted by the Veterans Assistance Commission
2 and the regulations of the Department of Human Services.

3 (n) To further the intent of this Act of assisting
4 military veterans, this Act is to be construed so that the
5 Veterans Assistance Commission shall provide needed services
6 to eligible veterans.

7 (Source: P.A. 102-484, eff. 8-20-21; 102-732, eff. 1-1-23.)

8 (330 ILCS 45/9.1 new)

9 Sec. 9.1. Violations.

10 (a) If the Attorney General has reasonable cause to
11 believe that there is or has been a violation of Section 8 or 9
12 or subsection (a), (b), or (c) of Section 10, then the Attorney
13 General may commence a civil action in the name of the People
14 of the State to enforce the provisions of this Act in any
15 appropriate circuit court. The court, in its discretion, may
16 exercise all powers necessary, including, but not limited to:
17 injunction; mandamus; revocation; forfeiture or suspension of
18 any funding, rights, privileges, responsibilities, or support,
19 as deemed necessary to ensure compliance; and any other action
20 the court may deem appropriate.

21 (b) Prior to initiating a civil action, the Attorney
22 General shall conduct a preliminary investigation to determine
23 whether there is reasonable cause to believe that a violation
24 is being or has been committed and whether the dispute can be
25 resolved without litigation. In conducting this investigation,

1 the Attorney General may:

2 (1) require the individual, group, or entity to file a
3 statement or report in writing under oath or otherwise, as
4 to all information the Attorney General may consider
5 necessary;

6 (2) examine under oath any person alleged to have
7 participated in or with knowledge of the alleged
8 violation;

9 (3) issue subpoenas or conduct hearings in aid of any
10 investigation; or

11 (4) examine any record, book, document, account, or
12 paper as the Attorney General may consider necessary.

13 (c) Service by the Attorney General of any notice
14 requiring a person to file a statement or report, or of a
15 subpoena upon any person, shall be made:

16 (1) personally by delivery of a duly executed copy
17 thereof to the person to be served or, if a person is not a
18 natural person, in the manner provided by the Code of
19 Civil Procedure when a complaint is filed; or

20 (2) by mailing by certified mail a duly executed copy
21 thereof to the person to be served at the person's last
22 known abode or principal place of business within this
23 State.

24 (d) Whenever any person fails to comply with any subpoena
25 issued under this Section or whenever satisfactory copying or
26 reproduction of any material requested in an investigation

1 cannot be done and the person refuses to surrender the
2 material, the Attorney General may file in any appropriate
3 circuit court, and serve upon the person, a petition for a
4 court order for the enforcement of the subpoena or other
5 request.

6 Any person who has received a subpoena issued under
7 subsection (b) may file in the appropriate circuit court, and
8 serve upon the Attorney General, a petition for a court order
9 to modify or set aside the subpoena or other request. The
10 petition must be filed either: (1) within 20 days after the
11 date of service of the subpoena or at any time before the
12 return date specified in the subpoena, whichever date is
13 earlier, or (2) within a longer period as may be prescribed in
14 writing by the Attorney General.

15 The petition shall specify each ground upon which the
16 petitioner relies in seeking relief under this subsection and
17 may be based upon any failure of the subpoena to comply with
18 the provisions of this Section or upon any constitutional or
19 other legal right or privilege of the petitioner. During the
20 pendency of the petition in the court, the court may stay, as
21 it deems proper, the running of the time allowed for
22 compliance with the subpoena or other request, in whole or in
23 part, except that the petitioner shall comply with any portion
24 of the subpoena or other request not sought to be modified or
25 set aside.

26 (e) In the administration of this Act, the Attorney

1 General may accept an Assurance of Voluntary Compliance with
2 respect to any violation of the Act from any person or entity
3 who has engaged in, is engaging in, or was about to engage in
4 such violation. Evidence of a violation of an Assurance of
5 Voluntary Compliance shall be prima facie evidence of a
6 violation of this Act in any subsequent proceeding brought by
7 the Attorney General against the alleged violator.

8 (330 ILCS 45/9.2 new)

9 Sec. 9.2. Remedies.

10 (a) Whenever the Attorney General has reason to believe
11 that any person, group, or entity is violating, has violated,
12 or is about to violate Section 8 or 9 or subsection (a), (b),
13 or (c) of Section 10, the Attorney General may bring an action
14 in the name of the People of the State against the person,
15 group, or entity to restrain by preliminary or permanent
16 injunction the use of any practice that violates Section 8 or 9
17 or subsection (a), (b), or (c) of Section 10. In such an
18 action, the court may award restitution to recoup the loss of
19 moneys set aside to provide services to veterans or any other
20 relief that the court deems proper.

21 (b) In addition, the court may assess a civil penalty not
22 to exceed \$5,000 for each violation of Section 8 or 9 or
23 subsection (a), (b), or (c) of Section 10.

24 (c) In any action brought under the provisions of Section
25 8 or 9 or subsection (a), (b), or (c) of Section 10, the

1 Attorney General is entitled to recover costs.

2 (d) If a court orders a party to make payments to the
3 Attorney General and the payments are to be used for the
4 operations of the Office of the Attorney General or a party
5 agrees, in an out-of-court settlement, to make payment to the
6 Attorney General for the operations of the Office of the
7 Attorney General, then moneys shall be deposited into the
8 Attorney General Court Ordered and Voluntary Compliance
9 Payment Projects Fund. Moneys in the Fund shall be used,
10 subject to appropriation, for the performance of any function
11 pertaining to the exercise of the duties of the Attorney
12 General, including, but not limited to, enforcement of any law
13 of this State and conducting public education programs.
14 However, any moneys in the Fund that are required by the court
15 or by an agreement to be used for a particular purpose shall be
16 used for that purpose.

17 (330 ILCS 45/10) (from Ch. 23, par. 3090)

18 (Text of Section after amendment by P.A. 102-732)

19 Sec. 10. Superintendents and counties.

20 (a) The executive powers of the Commission shall be vested
21 in a superintendent selected or appointed ~~elected~~ by a vote
22 from a majority of the full Commission membership and who
23 shall have received an honorable discharge from the armed
24 forces of the United States.

25 (b) Superintendent vacancies shall be filled, whether

1 long-term or temporarily, at the next regularly scheduled full
2 Commission meeting or within 30 days at a specially convened
3 meeting, whichever comes sooner, and shall be selected by a
4 vote from a majority of the full Commission membership.

5 (c) Any individual who may be tasked with assuming the
6 duties of or may be vested with the executive powers of a
7 superintendent, whether as acting or interim superintendent,
8 must be selected or appointed by a vote from a majority of the
9 full Commission membership and must have received an honorable
10 discharge from the armed forces of the United States.

11 (d) The designated superintendent of the Veterans
12 Assistance Commission of the county shall, under the direction
13 of the Commission, have charge of and maintain an office in the
14 county building or a central location within the county, to be
15 used solely by the Commission for providing the just,
16 necessary, and needed services mandated by law.

17 (e) The county shall provide for the funding of the office
18 and shall provide ~~furnish~~ all necessary furnishings, supplies,
19 and services, including, but not limited to, human resources
20 and payroll support; information technology services and
21 equipment; telephone services and equipment; printing services
22 and equipment; postage costs; and liability insurance
23 telephone, printing, stationery, and postage therefor.

24 (f) The county shall also provide to the employees of the
25 Commission all benefits available to county employees,
26 including, but not limited to, benefits offered through the

1 Illinois Municipal Retirement Fund; health, life, and dental
2 insurance; and workers compensation insurance. Employer
3 contributions and costs for these benefits, services, and
4 coverages may come from Commission funds.

5 (g) The county board shall, in any county where a Veterans
6 Assistance Commission is organized, in addition to sums
7 appropriated for these just, necessary, and needed services as
8 provided by law and approved by the Commission under this Act,
9 appropriate such additional sums, upon recommendation of the
10 Veterans Assistance Commission, to properly compensate the
11 officers and employees required to administer such assistance.
12 The county board shall also provide funds to the Commission to
13 reimburse the superintendent, officers, delegates and
14 employees for certain expenses which are approved by the
15 Commission. The superintendent and other employees shall be
16 employees of the Veterans Assistance Commission, and no
17 provision in this Section or elsewhere in this Act shall be
18 construed to mean that they are employees of the county.

19 (h) Superintendents, subject to rules formulated by the
20 Commission, shall select, as far as possible, Veteran Service
21 Officers and other employees from among military veterans,
22 including those who have served or may still be serving as
23 members of the Illinois National Guard or a reserve component
24 of the armed forces of the United States, who did not receive a
25 bad conduct or dishonorable discharge or other equivalent
26 discharge thereof, or their spouses, surviving spouses, or

1 children.

2 (i) The ~~In a county with less than 2,000,000 inhabitants,~~
3 ~~the~~ superintendent may, in conformance with subsection (f) of
4 Section 3-9005 of the Counties Code, request ~~legal assistance~~
5 from the State's Attorney serving the county in which the
6 Veterans Assistance Commission is located, an opinion upon any
7 question of law relating to a matter in which the county
8 Veterans Assistance Commission may be concerned. With regard
9 to matters involving Section 8 or 9 or subsection (a), (b), or
10 (c) of Section 10, the State's Attorney shall confer with the
11 Office of the Attorney General before rendering an opinion.

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

15 (k) All persons ~~elected or~~ selected or appointed to fill
16 positions provided for in this Section shall be exempt from
17 the operation and provisions of any civil service act or laws
18 of this State, and the secretary of the Commission shall be
19 appointed by the superintendent.

20 (Source: P.A. 102-56, eff. 7-9-21; 102-732, eff. 1-1-23.)

21 (330 ILCS 45/12 new)

22 Sec. 12. Home rule. A home rule unit may not operate, act,
23 or fail to act in a manner that is inconsistent with the
24 provisions of this Act. This Section is a limitation under
25 subsection (i) of Section 6 of Article VII of the Illinois

1 Constitution on the concurrent exercise by home rule units of
2 powers and functions exercised by the State.

3 Section 999. Effective date. This Act takes effect January
4 1, 2023.

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