



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

HB4868

Introduced 2/7/2024, by Rep. Hoan Huynh

SYNOPSIS AS INTRODUCED:

See Index

Amends the Department of Veterans' Affairs Act. Establishes a military immigrant family legacy program within the Department of Veterans' Affairs. Requires the program to be jointly developed and implemented by the Director of Veterans' Affairs (Director) and the Adjutant General of the Department of Military Affairs, in consultation with the Department of Human Services' Office of Welcoming Centers for Refugee and Immigrant Services. Provides that the primary purpose of the program shall be to assist uniformed service members, veterans, reserve component members, and their family members to secure legal immigration status in the United States, including, but not limited to, citizenship. Provides that 2 military immigrant family legacy program coordinators shall be appointed to administer the program. Sets forth the coordinators' duties, including, but not limited to: (1) assisting intended recipients, who may qualify for adjustment of status, special immigration status through the federal Parole in Place program, or any other sort of immigration relief, including relief that can lead to citizenship; communicating with the Director and the Adjutant General and the Department of Human Services' Office of Welcoming Centers for Refugee and Immigrant Services regarding existing policies and regulations pertaining to the needs of intended recipients and to make recommendations regarding the improvement of benefits and services to such intended recipients; and (3) developing and maintaining a clearinghouse for information and resources relating to the program as well as other federal, State, local, and nonprofit programs that may offer assistance to intended recipients in immigration matters. Requires program coordinators to submit a report to the Director and the Adjutant General on January 1, 2026 and each January 1 thereafter that provides a description and evaluation of the coordinators' activities for the preceding calendar year as well as any recommendations for future programmatic changes. Requires the Director and the Adjutant General to jointly submit the report on an annual basis to the Governor and the General Assembly. Makes conforming changes to the Department of Human Services Act and the Military Code of Illinois.

LRB103 39077 KTG 69214 b

A BILL FOR

1 AN ACT concerning State government.

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

4 Section 5. The Department of Human Services Act is amended
5 by adding Section 10-68 as follows:

6 (20 ILCS 1305/10-68 new)

7 Sec. 10-68. Advise on State military immigrant family
8 legacy program coordinators. The Department's Office of
9 Welcoming Centers for Refugee and Immigrant Services shall
10 advise the State military immigrant family legacy program
11 coordinators as provided in Section 40 of the Department of
12 Veterans' Affairs Act.

13 Section 10. The Military Code of Illinois is amended by
14 adding Section 22-7.1 as follows:

15 (20 ILCS 1805/22-7.1 new)

16 Sec. 22-7.1. State military immigrant family legacy
17 program support coordinator. The Adjutant General shall
18 encourage the development of and provide for the establishment
19 of a State military immigrant family legacy program
20 coordinator, as provided in Section 40 of the Department of
21 Veterans' Affairs Act.

1 Section 15. The Department of Veterans' Affairs Act is
2 amended by changing Section 2 and by adding Section 40 as
3 follows:

4 (20 ILCS 2805/2) (from Ch. 126 1/2, par. 67)

5 Sec. 2. Powers and duties. The Department shall have the
6 following powers and duties:

7 To perform such acts at the request of any veteran, or his
8 or her spouse, surviving spouse or dependents as shall be
9 reasonably necessary or reasonably incident to obtaining or
10 endeavoring to obtain for the requester any advantage, benefit
11 or emolument accruing or due to such person under any law of
12 the United States, the State of Illinois or any other state or
13 governmental agency by reason of the service of such veteran,
14 and in pursuance thereof shall:

15 (1) Contact veterans, their survivors and dependents
16 and advise them of the benefits of state and federal laws
17 and assist them in obtaining such benefits;

18 (2) Establish field offices and direct the activities
19 of the personnel assigned to such offices;

20 (3) Create and maintain a volunteer field force; the
21 volunteer field force may include representatives from the
22 following without limitation: educational institutions,
23 labor organizations, veterans organizations, employers,
24 churches, and farm organizations; the volunteer field

- 1 force may not process federal veterans assistance claims;
- 2 (4) Conduct informational and training services;
- 3 (5) Conduct educational programs through newspapers,
4 periodicals, social media, television, and radio for the
5 specific purpose of disseminating information affecting
6 veterans and their dependents;
- 7 (6) Coordinate the services and activities of all
8 state departments having services and resources affecting
9 veterans and their dependents;
- 10 (7) Encourage and assist in the coordination of
11 agencies within counties giving service to veterans and
12 their dependents;
- 13 (8) Cooperate with veterans organizations and other
14 governmental agencies;
- 15 (9) Make, alter, amend and promulgate reasonable rules
16 and procedures for the administration of this Act;
- 17 (10) Make and publish annual reports to the Governor
18 regarding the administration and general operation of the
19 Department;
- 20 (11) (Blank);
- 21 (12) (Blank); ~~and~~
- 22 (13) Provide informational resources and education to
23 veterans returning from deployment regarding service
24 animals for individuals with disabilities, including, but
25 not limited to, resources and education on service animals
26 that guide people who are blind, pull a wheelchair, alert

1 a person with hearing loss, protect a person having a
2 seizure, assist a person with a traumatic brain injury,
3 and calm a person with post-traumatic stress disorder
4 during an anxiety attack or psychiatric episode; and -

5 (14) To encourage the development of and provide for
6 the establishment of a State military immigrant family
7 legacy program coordinator, as provided in Section 40.

8 The Department may accept and hold on behalf of the State,
9 if for the public interest, a grant, gift, devise or bequest of
10 money or property to the Department made for the general
11 benefit of Illinois veterans, including the conduct of
12 informational and training services by the Department and
13 other authorized purposes of the Department. The Department
14 shall cause each grant, gift, devise or bequest to be kept as a
15 distinct fund and shall invest such funds in the manner
16 provided by the Public Funds Investment Act, as now or
17 hereafter amended, and shall make such reports as may be
18 required by the Comptroller concerning what funds are so held
19 and the manner in which such funds are invested. The
20 Department may make grants from these funds for the general
21 benefit of Illinois veterans. Grants from these funds, except
22 for the funds established under Sections 2.01a and 2.03, shall
23 be subject to appropriation.

24 The Department has the power to make grants, from funds
25 appropriated from the Illinois Military Family Relief Fund,
26 for benefits authorized under the Survivors Compensation Act.

1 (Source: P.A. 99-314, eff. 8-7-15; 99-576, eff. 7-15-16;
2 100-84, eff. 1-1-18.)

3 (20 ILCS 2805/40 new)

4 Sec. 40. Military Immigrant Family Legacy Program.

5 (a) As used in this Section:

6 "Adjutant General" means the Adjutant General of the
7 Department of Military Affairs.

8 "Coordinator" means an employee of the Department
9 appointed by the Director of Veterans' Affairs, or an employee
10 of the Department of Military Affairs appointed by the
11 Adjutant General, to serve as a military immigrant family
12 legacy program coordinator as provided under subsection (c).

13 "Department" means the Department of Veterans' Affairs.

14 "Director" means the Director of the Department of
15 Veterans' Affairs.

16 "Intended recipients" means uniformed service members,
17 veterans, reserve component members, and their family members.

18 "Program" means the military immigrant family legacy
19 program.

20 "Qualifying condition" means a diagnosis of post-traumatic
21 stress disorder or traumatic brain injury made by, or an
22 experience of military sexual trauma, as described in 38
23 U.S.C. 1720D, as amended from time to time, disclosed to an
24 individual licensed to provide health care services at a
25 United States Department of Veterans Affairs facility or to an

1 individual licensed to provide health care services within the
2 State of Illinois.

3 "Reserve component members" means individuals serving in
4 the United States Army Reserve, Navy Reserve, Marine Corps
5 Reserve, the Army National Guard, the Air National Guard, or
6 Reserve Corps of the Public Health Service during the time the
7 unit was federally recognized as a reserve component.

8 "Uniformed services" means the Army, Navy, Marine Corps,
9 Air Force, Space Force, Coast Guard, Public Health
10 Commissioned Corps, and the National Oceanic and Atmospheric
11 Administration Commissioned Officer Corps of the United
12 States.

13 "Uniformed service member" means a member of the United
14 States Army, Navy, Air Force, Space Force Corps, Marine Corps,
15 Coast Guard, Public Health Service Commissioned Corps, or
16 National Oceanic and Atmospheric Administration Commissioned
17 Officer Corps serving on active duty.

18 "Veteran" means a person who served on active duty in the
19 uniformed services of the United States, or in the Army
20 National Guard, Air National Guard, or Illinois National
21 Guard, or as a commissioned officer in the Public Health
22 Service or the National Oceanic and Atmospheric
23 Administration, or as a cadet at a United States armed forces
24 service academy, and who has been released from such service
25 under other than dishonorable conditions. "Veteran" includes
26 any veteran with a qualifying condition who has received a

1 discharge other than bad conduct or dishonorable from such
2 service.

3 (b) There is established within the Department, in
4 conjunction with the Department of Military Affairs, a
5 military immigrant family legacy program which shall be
6 jointly developed and implemented by the Director and the
7 Adjutant General, in consultation with the Department of Human
8 Services' Office of Welcoming Centers for Refugee and
9 Immigrant Services, and in accordance with the provisions of
10 this Section. The primary purpose of the program shall be to
11 assist intended recipients to secure legal immigration status
12 in the United States, including, but not limited to,
13 citizenship.

14 (c) Two military immigrant family legacy program
15 coordinators shall be appointed, one appointed by the Director
16 and one by the Adjutant General, to administer the program.
17 Each coordinator shall be a veteran. The coordinators' duties
18 shall include, but not be limited to:

19 (1) Assisting intended recipients, who may qualify for
20 adjustment of status, special immigration status through
21 the federal Parole in Place program authorized by Section
22 1758 of the National Defense Authorization Act for Fiscal
23 Year 2020 (Public Law 116-92), or any other sort of
24 immigration relief, including relief that can lead to
25 citizenship, in securing legal representation or
26 consultation by qualified immigration attorneys or duly

1 authorized representatives of the Board Of Immigration
2 Appeals as may be necessary to obtain such relief.

3 (2) Communicating with the Director and the Adjutant
4 General and the Office of Welcoming Centers for Refugee
5 and Immigrant Services regarding existing policies and
6 regulations pertaining to the needs of intended recipients
7 and to make recommendations regarding the improvement of
8 benefits and services to such intended recipients.

9 (3) Serving as liaison between the Department and the
10 Department of Military Affairs, the United States
11 Citizenship and Immigration Services, Immigration and
12 Customs Enforcement, the United States Department of
13 Veterans Affairs, the United States Department of Defense,
14 local veterans' services agencies, State agencies,
15 community groups, advocates, and other veterans and
16 military organizations and interested parties for the
17 purpose of coordinating efforts to provide immigration
18 relief to intended recipients.

19 (4) Consulting with qualified immigration attorneys or
20 duly authorized and approved representatives of the Board
21 of Immigration Appeals to facilitate such coordination
22 with the United States Citizenship and Immigration
23 Services or any other appropriate agency.

24 (5) Advocating for intended recipients.

25 (6) Developing and maintaining a clearinghouse for
26 information and resources relating to the program as well

1 as other federal, State, local, and nonprofit programs
2 that may offer assistance to intended recipients in
3 immigration matters.

4 (7) Promoting events and activities that educate and
5 assist intended recipients, including, but not limited to,
6 veteran human rights conferences and veterans benefit and
7 resources events.

8 (8) Including the contributions that intended
9 recipients have made on behalf of the United States and
10 this State on the Department's official website.

11 (9) Developing information to be made available to
12 congressionally chartered veterans' organizations, and
13 local veterans' services agencies to provide a general
14 overview of the program, including, but not limited to,
15 its purpose and the eligibility requirements for
16 adjustment of status, citizenship, or any other form of
17 available relief.

18 (10) Preparing reports on topics, including, but not
19 limited to, the demographics of intended recipients
20 residing in the State, including the number of such
21 intended recipients by county, an estimate of how many may
22 be eligible for naturalization, and the unique needs of
23 the intended recipients within Illinois to the Director,
24 the Adjutant General, and the Department of Human
25 Services' Office of Welcoming Centers for Refugee and
26 Immigrant Services.

1 (d) The coordinators shall submit a report to the Director
2 and the Adjutant General on January 1, 2026 and each January 1
3 thereafter. Such report shall include, but not be limited to,
4 a description and evaluation of the coordinators' activities
5 for the preceding calendar year as well as any recommendations
6 for future programmatic changes. The Director and the Adjutant
7 General shall jointly submit the report on an annual basis to
8 the Governor and the General Assembly.

1 INDEX

2 Statutes amended in order of appearance

3 20 ILCS 1305/10-68 new

4 20 ILCS 1805/22-7.1 new

5 20 ILCS 2805/2 from Ch. 126 1/2, par. 67

6 20 ILCS 2805/40 new