



Rep. Ron Stephens

Filed: 5/30/2007

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LRB095 07286 HLH 37393 a

1 AMENDMENT TO SENATE BILL 82

2 AMENDMENT NO. _____. Amend Senate Bill 82, AS AMENDED, by
3 replacing everything after the enacting clause with the
4 following:

5 "Section 5. The Department of Veterans Affairs Act is
6 amended by adding Section 20 as follows:

7 (20 ILCS 2805/20 new)

8 Sec. 20. Payments to veterans service organizations.

9 (a) In this Section:

10 "Veterans service officer" means an individual employed by
11 a veterans service organization and accredited by the United
12 States Department of Veterans Affairs to process claims and
13 other benefits for veterans and their spouses and
14 beneficiaries.

15 "Veterans service organization" means an organization that
16 meets all of the following criteria:

1 (1) It is formed by and for United States military
2 veterans.

3 (2) It is chartered by the United States Congress and
4 incorporated in the State of Illinois.

5 (3) It maintained a state headquarters office in
6 Illinois for the 10-year period immediately preceding July
7 1, 2006.

8 (4) It maintains at least one office in this State
9 staffed by a veterans service officer.

10 (5) It is capable of preparing a power of attorney for
11 a veteran and processing claims for veterans services.

12 (6) It is not funded by the State of Illinois or by any
13 county in this State.

14 "Veterans services" means the representation of veterans
15 in federal hearings to secure benefits for veterans and their
16 spouses and beneficiaries:

17 (1) Disability compensation benefits.

18 (2) Disability pension benefits.

19 (3) Dependents' indemnity compensation.

20 (4) Widow's death pension.

21 (5) Burial benefits.

22 (6) Confirmed and continued claims.

23 (7) Vocational rehabilitation and education.

24 (8) Waivers of indebtedness.

25 (9) Miscellaneous.

26 (b) The Veterans Service Organization Reimbursement Fund

1 is created as a special fund in the State treasury. Subject to
2 appropriation, the Department shall use moneys appropriated
3 from the Fund to make payments to a veterans service
4 organization for veterans services rendered on behalf of
5 veterans and their spouses and beneficiaries by a veterans
6 service officer employed by the organization. The payment shall
7 be computed at the rate of \$0.010 for each dollar of benefits
8 obtained for veterans or their spouses or beneficiaries
9 residing in Illinois as a result of the efforts of the veterans
10 service officer. There shall be no payment under this Section
11 for the value of health care received in a health care facility
12 under the jurisdiction of the United States Veterans
13 Administration. A veterans service organization may receive
14 compensation under this Fund or it may apply for grants from
15 the Illinois Veterans Assistance Fund, but in no event may a
16 veterans service organization receive moneys from both funds
17 during the same fiscal year. Funding for each applicant is
18 subject to renewal by the Department on an annual basis.

19 (c) To be eligible for a payment under this Section, a
20 veterans service organization must document the amount of
21 moneys obtained for veterans and their spouses and
22 beneficiaries in the form and manner required by the
23 Department. The documentation must include the submission to
24 the Department of a copy of the organization's report or
25 reports to the United States Department of Veterans Affairs
26 stating the amount of moneys obtained by the organization for

1 veterans and their spouses and beneficiaries in the State
2 fiscal year for which payment under this Section is requested.
3 The organization must submit the copy of the report or reports
4 to the Department no later than July 31 following the end of
5 the State fiscal year for which payment is requested.

6 (d) The Department shall make the payment under this
7 Section to a veterans service organization in a single annual
8 payment for each State fiscal year, beginning with the State
9 fiscal year that begins on July 1, 2007. The Department must
10 make the payment for a State fiscal year on or before December
11 31 of the succeeding State fiscal year.

12 (e) A veterans service organization shall use moneys
13 received under this Section only for the purpose of paying the
14 salary and expenses of one or more veterans service officers
15 and the organization's related expenses incurred in employing
16 the officer or officers for the processing of claims and other
17 benefits for veterans and their spouses and beneficiaries.

18 Section 10. The State Finance Act is amended by changing
19 Section 8h and by adding Section 5.675 as follows:

20 (30 ILCS 105/5.675 new)

21 Sec. 5.675. The Veterans Service Organization
22 Reimbursement Fund.

23 (30 ILCS 105/8h)

1 Sec. 8h. Transfers to General Revenue Fund.

2 (a) Except as otherwise provided in this Section and
3 Section 8n of this Act, and ~~(e), (d), or (e)~~, notwithstanding
4 any other State law to the contrary, the Governor may, through
5 June 30, 2007, from time to time direct the State Treasurer and
6 Comptroller to transfer a specified sum from any fund held by
7 the State Treasurer to the General Revenue Fund in order to
8 help defray the State's operating costs for the fiscal year.
9 The total transfer under this Section from any fund in any
10 fiscal year shall not exceed the lesser of (i) 8% of the
11 revenues to be deposited into the fund during that fiscal year
12 or (ii) an amount that leaves a remaining fund balance of 25%
13 of the July 1 fund balance of that fiscal year. In fiscal year
14 2005 only, prior to calculating the July 1, 2004 final
15 balances, the Governor may calculate and direct the State
16 Treasurer with the Comptroller to transfer additional amounts
17 determined by applying the formula authorized in Public Act
18 93-839 to the funds balances on July 1, 2003. No transfer may
19 be made from a fund under this Section that would have the
20 effect of reducing the available balance in the fund to an
21 amount less than the amount remaining unexpended and unreserved
22 from the total appropriation from that fund estimated to be
23 expended for that fiscal year. This Section does not apply to
24 any funds that are restricted by federal law to a specific use,
25 to any funds in the Motor Fuel Tax Fund, the Intercity
26 Passenger Rail Fund, the Hospital Provider Fund, the Medicaid

1 Provider Relief Fund, the Teacher Health Insurance Security
2 Fund, the Reviewing Court Alternative Dispute Resolution Fund,
3 the Voters' Guide Fund, the Foreign Language Interpreter Fund,
4 the Lawyers' Assistance Program Fund, the Supreme Court Federal
5 Projects Fund, the Supreme Court Special State Projects Fund,
6 the Supplemental Low-Income Energy Assistance Fund, the Good
7 Samaritan Energy Trust Fund, the Low-Level Radioactive Waste
8 Facility Development and Operation Fund, the Horse Racing
9 Equity Trust Fund, or the Hospital Basic Services Preservation
10 Fund, or to any funds to which subsection (f) of Section 20-40
11 of the Nursing and Advanced Practice Nursing Act applies. No
12 transfers may be made under this Section from the Pet
13 Population Control Fund. Notwithstanding any other provision
14 of this Section, for fiscal year 2004, the total transfer under
15 this Section from the Road Fund or the State Construction
16 Account Fund shall not exceed the lesser of (i) 5% of the
17 revenues to be deposited into the fund during that fiscal year
18 or (ii) 25% of the beginning balance in the fund. For fiscal
19 year 2005 through fiscal year 2007, no amounts may be
20 transferred under this Section from the Road Fund, the State
21 Construction Account Fund, the Criminal Justice Information
22 Systems Trust Fund, the Wireless Service Emergency Fund, or the
23 Mandatory Arbitration Fund.

24 In determining the available balance in a fund, the
25 Governor may include receipts, transfers into the fund, and
26 other resources anticipated to be available in the fund in that

1 fiscal year.

2 The State Treasurer and Comptroller shall transfer the
3 amounts designated under this Section as soon as may be
4 practicable after receiving the direction to transfer from the
5 Governor.

6 (a-5) Transfers directed to be made under this Section on
7 or before February 28, 2006 that are still pending on May 19,
8 2006 (the effective date of Public Act 94-774) ~~this amendatory~~
9 ~~Act of the 94th General Assembly~~ shall be redirected as
10 provided in Section 8n of this Act.

11 (b) This Section does not apply to: (i) the Ticket For The
12 Cure Fund; (ii) any fund established under the Community Senior
13 Services and Resources Act; or (iii) on or after January 1,
14 2006 (the effective date of Public Act 94-511), the Child Labor
15 and Day and Temporary Labor Enforcement Fund.

16 (c) This Section does not apply to the Demutualization
17 Trust Fund established under the Uniform Disposition of
18 Unclaimed Property Act.

19 (d) This Section does not apply to moneys set aside in the
20 Illinois State Podiatric Disciplinary Fund for podiatric
21 scholarships and residency programs under the Podiatric
22 Scholarship and Residency Act.

23 (e) Subsection (a) does not apply to, and no transfer may
24 be made under this Section from, the Pension Stabilization
25 Fund.

26 (f) This Section does not apply to the Veterans Service

1 Organization Reimbursement Fund.

2 (Source: P.A. 93-32, eff. 6-20-03; 93-659, eff. 2-3-04; 93-674,
3 eff. 6-10-04; 93-714, eff. 7-12-04; 93-801, eff. 7-22-04;
4 93-839, eff. 7-30-04; 93-1054, eff. 11-18-04; 93-1067, eff.
5 1-15-05; 94-91, eff. 7-1-05; 94-120, eff. 7-6-05; 94-511, eff.
6 1-1-06; 94-535, eff. 8-10-05; 94-639, eff. 8-22-05; 94-645,
7 eff. 8-22-05; 94-648, eff. 1-1-06; 94-686, eff. 11-2-05;
8 94-691, eff. 11-2-05; 94-726, eff. 1-20-06; 94-773, eff.
9 5-18-06; 94-774, eff. 5-19-06; 94-804, eff. 5-26-06; 94-839,
10 eff. 6-6-06; revised 6-19-06.)

11 Section 99. Effective date. This Act takes effect upon
12 becoming law."