

SB1461



96TH GENERAL ASSEMBLY

State of Illinois

2009 and 2010

SB1461

Introduced 2/18/2009, by Sen. Larry K. Bomke

SYNOPSIS AS INTRODUCED:

New Act

Creates the War on Terrorism Compensation Act. Provides that every person who has served on active duty with the armed forces of the United States on or after September 11, 2001 and prior to such time as Congress declares such persons ineligible for the Global War on Terrorism Expeditionary Medal or the Global War on Terrorism Service Medal is entitled to receive compensation of \$100 for such service if he or she had been a resident of the State of Illinois for at least 12 months immediately preceding the time he or she entered such service and meets certain other requirements. Provides that no payment may be made to any person who, though in such service: did civilian work at civilian pay; did not serve at least 30 consecutive or 60 nonconsecutive days outside the United States or its territories; or has received from another state a bonus or compensation of like nature. Provides that applications for compensation must be made to the Department of Veterans' Affairs. Effective immediately.

LRB096 08354 DRJ 18464 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

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 1. Short title. This Act may be cited as the War on
5 Terrorism Compensation Act.

6 Section 5. Definitions. In of this Act:

7 "Armed forces of the United States" means the United States
8 Army, Navy, Air Force, Marine Corps, or Coast Guard, the United
9 States Reserve Forces, or the Illinois National Guard. Service
10 in the merchant marine is not service in the armed forces for
11 purposes of this Act.

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

14 Section 10. Compensation.

15 (a) Every person who has served on active duty with the
16 armed forces of the United States on or after September 11,
17 2001 and prior to such time as Congress declares such persons
18 ineligible for the Global War on Terrorism Expeditionary Medal
19 or the Global War on Terrorism Service Medal is entitled to
20 receive compensation of \$100 for such service if (i) he or she
21 had been a resident of the State of Illinois for at least 12
22 months immediately preceding the time he or she entered such

1 service, (ii) he or she is still in active service, is
2 honorably separated or discharged from such service, has been
3 furloughed to a reserve, or has been retired, and (iii) he or
4 she has received the Global War on Terrorism Expeditionary
5 Medal or the Global War on Terrorism Service Medal.

6 (b) No payment may be made under this Section to any person
7 who, though in such service: did civilian work at civilian pay;
8 did not serve at least 30 consecutive or 60 nonconsecutive days
9 outside the United States or its territories; or has received
10 from another state a bonus or compensation of like nature as
11 provided by this Act.

12 Section 15. Assignment prohibited. No right or claim to
13 compensation under this Act may be assigned.

14 Section 20. Legal disability. If a person to whom
15 compensation is payable under this Act is under a legal
16 disability, the compensation shall be paid to the person
17 legally vested with the care of the legally disabled person
18 under the laws of his or her state of residence. If no such
19 person has been so designated for the legally disabled person,
20 payment shall be made to the chief officer of any hospital or
21 institution under the supervision or control of any state or of
22 the United States Department of Veterans Affairs in which the
23 legally disabled person is placed, if that officer is
24 authorized to accept moneys for the benefit of the legally

1 disabled person. Any payments so made shall be held or used
2 solely for the benefit of the legally disabled person.

3 As used in this Section, a person under a legal disability
4 means a person found to be so by a court of competent
5 jurisdiction of any state or the District of Columbia or by any
6 adjudication officer of the United States Department of
7 Veterans Affairs.

8 Section 25. Application to Department of Veterans'
9 Affairs. An application for compensation under this Act must be
10 made to the Department.

11 Section 30. Rules. The Department shall adopt rules for
12 making payments under this Act, for ascertaining and selecting
13 proper beneficiaries and determining the amount to which those
14 beneficiaries are entitled, and for procedures necessary for
15 implementing this Act.

16 Section 99. Effective date. This Act takes effect upon
17 becoming law.