

Military Veterans Assistance Act

(330 ILCS 45/0.01) (from Ch. 23, par. 3080)

Sec. 0.01. Short title. This Act may be cited as the Military Veterans Assistance Act.

(Source: P.A. 86-1324; 87-796.)

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

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

"Veteran service organization" means a post, ship, camp, chapter, or detachment of a congressionally chartered or state chartered organization.

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

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

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

Sec. 2. For the just, necessary, and needed assistance and services of military veterans, who served in the Armed Forces of the United States and whose last discharge from the service was honorable or general under honorable conditions to be eligible for assistance, their families, and the families of deceased veterans with service as described in this Section who need assistance and services.

(1) The supervisor of general assistance or the county board shall provide such sums of money as may be just and necessary to be drawn by the commander, quartermaster or commandant of any veterans service organization, in the city or town, or the superintendent of any Veterans' Assistance Commission of the county, upon the recommendation of the assistance committee of that veterans service organization or Veterans' Assistance Commission.

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

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

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

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

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

(2) If any supervisor of general assistance or

county board fails or refuses after such recommendation to provide just and necessary sums of money for such assistance, then the veteran service organization or the superintendent of any Veterans' Assistance Commission located in the district of such supervisor of general assistance or such county board shall apply to the circuit court of the district or county for relief by mandamus upon the supervisor of general assistance or county board requiring him, her or it to pay, or to appropriate and pay such sums of money, and upon proof made of the justice and necessity of the claim, the circuit court shall grant the sums so requested.

(3) Such sums of money shall be drawn in the manner now provided under Section 5-2006 of the Counties Code and Section 12-21.13 of the Illinois Public Aid Code. Orders of commanders, quartermasters, commandants, or superintendents of those veterans service organizations or those Veterans' Assistance Commissions shall be proper warrants for the expenditure of such sums of money.
(Source: P.A. 102-732, eff. 1-1-23.)

(330 ILCS 45/3) (from Ch. 23, par. 3083)

Sec. 3. In case there is no veteran service organization, in any town in which it is necessary that such assistance as provided in Section 2 should be granted, the administrator of military veterans assistance shall accept and pay the orders drawn, as hereinbefore provided by the commander, quartermaster or commandant of any veteran service organization, upon the recommendation of an assistance committee, who shall be residents of the said town in which the assistance may be furnished.
(Source: P.A. 102-732, eff. 1-1-23.)

(330 ILCS 45/4) (from Ch. 23, par. 3084)

Sec. 4. Upon the taking effect of this Act, the commander of any veteran service organization or any properly created Veterans Assistance Commission, which shall undertake the assistance of military veterans and their families, as hereinbefore provided, before the acts of the commander, quartermaster, or commandant shall be operative in any city or town, shall file with the city clerk of such city or town clerk of such town, or administrator of military veterans assistance of such town or county, a notice that said veteran service organization or Veterans Assistance Commission intends to undertake such assistance as is provided by this Act, and such notice shall contain the names of the assistance committee of the veteran service organization or Veterans Assistance Commission in such city or town, and the commander and other officers of said veteran service organization or Veterans Assistance Commission. And the commander of the veteran service organization or Veterans Assistance Commission shall annually thereafter, during the month of October, file a similar notice with the city or town clerk, or the administrator of military veterans assistance, also a detailed statement of the amount of assistance furnished during the preceding year, with the names of all persons to whom such assistance shall have been furnished, together with a brief statement in such case from the assistance committee upon whose recommendation the orders

were drawn. Any person who fails or neglects so to do at the time required by this Act shall be guilty of a petty offense and fined \$250 to be recovered in the name of the county in the circuit court.

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

(330 ILCS 45/5) (from Ch. 23, par. 3085)

Sec. 5. The auditing board of any city or town or county auditor, or the administrator of military veterans assistance of any city, town, or county, may require of the commander, quartermaster, or commandant of any veteran service organization, or superintendent of any properly organized Veterans Assistance Commission, undertaking such assistance in any city or town, a bond with sufficient and satisfactory sureties for the faithful and honest discharge of their duties under this Act.

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

(330 ILCS 45/6) (from Ch. 23, par. 3086)

Sec. 6. Military veterans with families and the families of deceased veterans, shall, whenever practicable, be provided for and assisted at their homes in such city or town in which they shall have a residence, in the manner provided in Sections 2 and 3 of this Act.

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

(330 ILCS 45/7) (from Ch. 23, par. 3087)

Sec. 7. In case there shall be within the limits of any city or town more than one veteran service organization, it shall be the duty of the commander, quartermaster, or commandant of each veteran service organization within such limits, to send to the commander, quartermaster, or commandant of every other veteran service organization, as the case may be, within said limits, on the first day of each month, a written list of the names of all persons to whom assistance has been granted during the preceding month, under the provisions of this Act.

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

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

Sec. 8. The commander, quartermaster, or commandant of any veteran service organization or the superintendent of any county Veterans' Assistance Commission of Illinois shall annually report to the Governor, on or before the first day of January of each year, such portions of the transactions of the aforementioned veteran service organization or Veterans Assistance Commission relating thereto as the commander or superintendent may deem to be of interest to that organization and the people of the State.

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

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

Sec. 9. Veterans Assistance Commission.

(a) In counties having 2 or more veteran service organizations as may be

recognized by law, the veteran service organizations may come together to form a Veterans Assistance Commission of such county. The Veterans Assistance Commission of such county may act as the central service office for all veterans and their families and for the families of deceased veterans. The Commission shall be composed of delegates and alternates from a majority of such veteran service organizations selected annually as determined by each veteran service organization. When so organized a Commission shall be clothed with all the powers and charged with all the duties theretofore devolving upon the different veteran service organizations within the county.

(1) Every January 1, all Veterans Assistance Commissions shall publish a notice to each veteran service organization within their respective county calling on them to select delegates and alternates for that county's Veterans Assistance Commission by the methods provided in this subsection. The Veterans Assistance Commissions shall allow each veteran service organization until March 1 to respond, at which time those delegates and alternates shall begin their term of office.

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

(3) In counties with 5 or more of the same veteran service organizations, all the constituent veteran service organizations shall be permitted to select a single delegate and single alternate to represent that veteran service organization instead of each constituent veteran service organization selecting one delegate and one alternate. For the purposes of meeting the majority requirement of this subsection, when the constituent groups of a veteran service organization choose to select a single delegate and single alternate, the single delegate and single alternate shall represent the aggregate percentage of the constituent groups.

(4) If a veteran service organization serves more than one county, then it shall be permitted to select one delegate and one alternate for the Veterans Assistance Commission in each county in which at least 25% of its members reside.

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

(c) The Veterans Assistance Commission shall be in charge of the administration of any benefits provided under Articles VI and IX of the Illinois Public Aid Code for military veterans and their families. The Veterans Assistance Commission shall represent veterans in their application for benefits through State and federal agencies, including representing veterans in their appeals of adverse decisions. The superintendent of the Veterans Assistance Commission and its employees must comply with the procedures and regulations adopted by the Veterans Assistance Commission and the regulations of the Department of Human Services. To further the intent

of this Act of assisting military veterans, this Act is to be construed so that the Veterans Assistance Commission shall provide needed services to eligible veterans.

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

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

Sec. 10. The executive powers of the Commission shall be vested in a superintendent elected by the Commission who received an honorable discharge from the armed forces of the United States. The designated superintendent of the Veterans Assistance Commission of the county shall, under the direction of the Commission, have charge of and maintain an office in the county building or a central location within the county, to be used solely by the Commission for providing the just, necessary, and needed services mandated by law. The county shall provide for the funding of the office and furnish all necessary supplies, including telephone, printing, stationery, and postage therefor.

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

Superintendents, subject to rules formulated by the Commission, shall select, as far as possible, Veteran Service Officers and other employees from among military veterans who did not receive a bad conduct or dishonorable discharge, or their spouses.

In a county with less than 2,000,000 inhabitants, the superintendent may, in conformance with subsection (f) of Section 3-9005 of the Counties Code, request legal assistance from the State's Attorney serving the county in which the Veterans Assistance Commission is located.

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

All persons elected or selected to fill positions provided for in this Section shall be exempt from the operation and provisions of any civil service act or laws of this State, and the secretary of the Commission shall be appointed by the superintendent.

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

(330 ILCS 45/11) (from Ch. 23, par. 3091)

Sec. 11. (Repealed).

(Source: P.A. 87-796. Repealed by P.A. 102-732, eff. 1-1-23.)