



Rep. Stephanie A. Kifowit

Filed: 5/15/2025

10400SB1368ham001

LRB104 08902 KTG 26064 a

1 AMENDMENT TO SENATE BILL 1368

2 AMENDMENT NO. _____. Amend Senate Bill 1368 by replacing
3 everything after the enacting clause with the following:

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 Sec. 5-2006. Tax for Veterans Assistance Commission. The
8 county board of each county having a population of less than 3
9 million in which there is a Veterans Assistance Commission as
10 provided in Section 9 of the Military Veterans Assistance Act
11 may levy a tax of not to exceed .03% of the assessed value
12 annually on all taxable property of the county, for the
13 purpose of providing assistance to military veterans and their
14 families pursuant to such Act. Whenever not less than 10% of
15 the electors of the county petition the county board to levy
16 the tax at not to exceed .04% of the assessed value, the county

1 board shall certify the proposition to the proper election
2 officials who shall submit the proposition at the next general
3 election in accordance with the general election law. If a
4 majority of the electors vote in favor of the proposition, the
5 county board may, annually, levy the tax as authorized.

6 The county board of each county that has a population of
7 less than 3,000,000 and that is a participant in a
8 Jurisdictional Veterans Assistance Commission as provided in
9 Section 9 of the Military Veterans Assistance Act may levy a
10 tax of not to exceed .03% of the assessed value annually on all
11 taxable property of the county for the purpose of providing
12 assistance to military veterans and their families pursuant to
13 such Act. The proceeds from this tax for a Jurisdictional
14 Veterans Assistance Commission shall be directed into the
15 county treasury of the county where the Jurisdictional
16 Veterans Assistance Commission is headquartered.

17 The respective proceeds of any tax so levied for a
18 Veterans Assistance Commission or a Jurisdictional Veterans
19 Assistance Commission shall be used exclusively for the
20 assistance purposes authorized thereunder, and a portion
21 thereof may be expended for the salaries of any officers or
22 employees of the Veterans Assistance Commission, for the
23 authorized reimbursement of any officer or employee of the
24 Veterans Assistance Commission, as provided in Section 10 of
25 the Military Veterans Assistance Act, or for any other
26 expenses incident to the administration of such assistance.

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

13 The limitations on tax rates herein provided may be
14 increased or decreased under the referendum provisions of the
15 General Revenue Law of Illinois.

16 If a county has levied the tax herein authorized or
17 otherwise meets the conditions set out in Section 12-21.13 of
18 the Illinois Public Aid Code, to qualify for State funds to
19 supplement local funds for public purposes under Articles III,
20 IV, V, VI, and IX of that Code and otherwise meets the
21 conditions set out in Article XII of that Code for receipt of
22 State aid, the Illinois Department of Human Services shall
23 allocate and pay to the county such additional sums as it
24 determines to be necessary to meet the needs of assistance to
25 military veterans and their families in the county and
26 expenses incident to the administration of such assistance. In

1 counties where a Veterans Assistance Commission has been
2 properly created, those County Veterans Assistance Commissions
3 shall be in charge of the administration of such assistance
4 provided under the Illinois Public Aid Code for military
5 veterans and their families.

6 (Source: P.A. 102-732, eff. 1-1-23; 102-1132, eff. 2-10-23.)

7 Section 10. The Illinois Public Aid Code is amended by
8 changing Section 12-21.13 as follows:

9 (305 ILCS 5/12-21.13) (from Ch. 23, par. 12-21.13)

10 Sec. 12-21.13. Local funds required to qualify for state
11 aid. To qualify for State funds to supplement local funds for
12 public aid purposes, a local governmental unit shall, except
13 as hereinafter provided, levy within the time that such levy
14 is authorized to be made a tax of an amount which, when added
15 to the unobligated balance available for such purposes at the
16 close of the fiscal year preceding the fiscal year for which
17 the tax is levied will equal .10% of the last known total
18 equalized value of all taxable property in the governmental
19 unit.

20 In a county of less than 3 million population in which
21 there is created a County Veterans Assistance Commission, the
22 county shall levy for assistance to military veterans and
23 their families, within the time that such levy is authorized
24 to be made, a tax of an amount which, when added to the

1 unobligated balance available for such purpose at the close of
2 the preceding fiscal year will equal .02% of the last known
3 assessed value of the taxable property in the county, or which
4 will equal .03% of such assessed value if such higher amount is
5 authorized by the electors of the county, as provided in
6 Section 5-2006 of the Counties Code.

7 In a county that has a population of less than 3,000,000
8 and that is a participant in a Jurisdictional Veterans
9 Assistance Commission, the county shall levy for assistance to
10 military veterans and their families, within the time that
11 such levy is authorized to be made, a tax of an amount which,
12 when added to the unobligated balance available for such
13 purpose at the close of the preceding fiscal year, equals .02%
14 of the last known assessed value of the taxable property in the
15 county. The proceeds from this tax for a Jurisdictional
16 Veterans Assistance Commission shall be directed into the
17 county treasury of the county where the Jurisdictional
18 Veterans Assistance Commission is headquartered.

19 If, however, at the latest date in the year on which the
20 aforesaid taxes are authorized to be levied there is in the
21 unobligated balance of the local governmental unit an amount
22 equal to .10%, or .02% in the case of Veterans' Assistance, of
23 the last known total equalized value of all taxable property
24 in the governmental unit, then no tax need be levied in that
25 year in order for the local governmental unit to qualify for
26 State funds.

1 In determining the amount of the unobligated balance which
2 is to be applied in producing the required levy for receipt of
3 State funds, or which is to be applied in determining whether a
4 tax levy is required, there shall be deducted from the gross
5 unobligated balance of funds available at the close of the
6 preceding fiscal year the total amount of State funds
7 allocated to the governmental unit during that year and the
8 total amount of any monies transferred to a township's general
9 town fund under Section 235-20 of the Township Code during
10 that year, and only the remainder shall be considered in
11 determining the amount of the deficiency needed to produce an
12 amount equal to the qualifying levy for the current year.

13 (Source: P.A. 87-796; 88-670, eff. 12-2-94.)

14 Section 15. The Military Veterans Assistance Act is
15 amended by changing Sections 2 and 9 as follows:

16 (330 ILCS 45/2) (from Ch. 23, par. 3082)

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

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

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

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

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

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

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

25 (1.5) The supervisor of general assistance or the
26 county board of a county in which a Jurisdictional

1 Veterans Assistance Commission is headquartered shall
2 provide such sums of money as may be just and necessary to
3 be drawn by the superintendent of the Jurisdictional
4 Veterans Assistance Commission headquartered in that
5 county, upon the recommendation of the delegates of the
6 Jurisdictional Veterans Assistance Commission. Each
7 participating county of a Jurisdictional Veterans
8 Assistance Commission shall fund the Jurisdictional
9 Veterans Assistance Commission in accordance with this
10 Section. Participating counties shall provide the support
11 and materials required to administer a Jurisdictional
12 Veterans Assistance Commission in the same manner
13 individual counties are required under this Act to provide
14 support and materials to single-county Veterans Assistance
15 Commissions.

16 (A) Funding for Jurisdictional Veterans Assistance
17 Commissions may be derived from a tax levied under
18 Section 5-2006 of the Counties Code and Section
19 12-21.13 of the Illinois Public Aid Code.

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

26 (2) If any supervisor of general assistance or county

1 board fails or refuses after such recommendation to
2 provide just and necessary sums of money for such
3 assistance, then the veteran service organization or the
4 superintendent of any Veterans' Assistance Commission
5 located in the district of such supervisor of general
6 assistance or such county board or the superintendent of
7 any Jurisdictional Veterans Assistance Commission
8 headquartered in the district of such supervisor of
9 general assistance or such county board shall apply to the
10 circuit court of the district or county for relief by
11 mandamus upon the supervisor of general assistance or
12 county board requiring him, her or it to pay, or to
13 appropriate and pay such sums of money, and upon proof
14 made of the justice and necessity of the claim, the
15 circuit court shall grant the sums so requested.

16 (3) Such sums of money shall be drawn in the manner now
17 provided under Section 5-2006 of the Counties Code and
18 Section 12-21.13 of the Illinois Public Aid Code. Orders
19 of commanders, quartermasters, commandants, or
20 superintendents of those veterans service organizations or
21 those Veterans' Assistance Commissions or those
22 Jurisdictional Veterans Assistance Commissions shall be
23 proper warrants for the expenditure of such sums of money.

24 (Source: P.A. 102-732, eff. 1-1-23; 102-1132, eff. 2-10-23.)

25 (330 ILCS 45/9) (from Ch. 23, par. 3089)

1 Sec. 9. Veterans Assistance Commission.

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

16 (1) Every January 1, all Veterans Assistance
17 Commissions shall publish a notice to each veteran service
18 organization within their respective county calling on
19 them to select delegates and alternates for that county's
20 Veterans Assistance Commission by the methods provided in
21 this subsection. The Veterans Assistance Commissions shall
22 allow each veteran service organization until March 1 to
23 respond, at which time those selected and duly appointed
24 delegates and alternates shall begin their term of office
25 with full voting rights. Once selected, delegates and
26 alternates are bound by the Public Officer Prohibited

1 Activities Act.

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

5 (3) In counties with 5 or more of the same veteran
6 service organizations, all the constituent veteran service
7 organizations shall be permitted to select up to 5
8 delegates and 5 alternates to represent that veteran
9 service organization instead of each constituent veteran
10 service organization selecting one delegate and one
11 alternate. For the purposes of meeting the majority
12 requirement of this subsection, when the constituent
13 groups of a veteran service organization choose to select
14 those delegates and alternates, those selected and duly
15 appointed delegates and alternates shall represent the
16 aggregate percentage of the constituent groups.

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

22 (5) All undertakings of, or actions taken by, the
23 Commission shall require a vote from a majority of the
24 full commission membership. No committee or other subgroup
25 of delegates and alternates formed by the Commission,
26 whether selected or appointed, may be granted the power or

1 authority to act in the place of or on behalf of the full
2 body of the duly selected or appointed Commission
3 membership.

4 (6) No superintendent or any other employee of the
5 Veterans Assistance Commission may retain the position of
6 delegate or alternate or any voting rights while employed
7 by the Veterans Assistance Commission.

8 (7) No committee or other subgroup of delegates and
9 alternates formed by the Commission, whether selected or
10 appointed, may bar any other duly appointed Commission
11 member from attending or otherwise being present during
12 any closed meetings or sessions of that committee or
13 group.

14 (8) The county may, at its discretion, appoint a
15 representative to the Commission who may attend any public
16 meeting of the Commission. That representative shall be a
17 veteran, may not have voting rights, may not hold any
18 office or title on the Commission, and may not be present
19 during any nonpublic meeting of the Commission, except as
20 authorized in this Act. For matters of executive session,
21 the non-voting county appointee may attend meetings that
22 are closed in accordance with paragraphs (1), (3), (5),
23 (6), or (11) of subsection (c) of Section 2 of the Open
24 Meetings Act for litigation matters not relating to
25 litigation between the Commission and the County.

26 (b) The Commission and its selected or appointed

1 superintendent shall have oversight of the distribution of all
2 moneys and supplies appropriated for the benefit of military
3 veterans and their families, subject to such rules,
4 regulations, administrative procedures or audit reviews as are
5 required by this Act and as are necessary as approved by the
6 Commission to carry out the spirit and intent of this Act. No
7 warrant authorized under this Act may be issued for the
8 payment of money without the presentation of an itemized
9 statement or claim, approved by the superintendent of the
10 Commission.

11 (c) The superintendent of the Veterans Assistance
12 Commission, selected, appointed, or hired by the Commission is
13 an at-will employee who shall be answerable to, and shall
14 report to, the Commission.

15 (d) The superintendent shall be evaluated annually and a
16 written report shall be generated. A copy of the report from
17 the evaluation shall be provided to the entire Commission
18 membership.

19 (e) A superintendent may be removed from office if, after
20 delegates from no less than 3 different veteran service
21 organizations file a written request calling for the
22 superintendent's removal, there is a vote from a majority of
23 the full Commission membership in favor of such removal.

24 (f) Each Veterans Assistance Commission shall establish
25 and maintain bylaws that outline the framework, policies, and
26 procedures for conducting the business of the Commission and

1 for the rules and regulations that apply to its members. Those
2 bylaws shall reflect compliance with all relevant laws at the
3 time they are established and shall be revised as necessary to
4 remain in compliance with current law. The establishment of
5 those bylaws, and any revisions thereafter, shall require a
6 minimum two-thirds majority vote of approval from a majority
7 of the full Commission membership.

8 (g) Each Veterans Assistance Commission shall, in writing,
9 adopt all applicable policies already established and in place
10 in its respective county, including, but not limited to,
11 policies related to compensation, employee rights, ethics,
12 procurement, and budget, and shall adapt those policies to fit
13 its organizational structure. Those policies shall then be
14 considered the policies of the Veterans Assistance Commission
15 and they shall be implemented and adhered to, accordingly, by
16 the superintendent and by the Commission. The Commission shall
17 amend its adopted policies whenever a county board amends an
18 applicable policy within 60 days of the county board
19 amendment.

20 (h) No warrant authorized under this Act may be issued for
21 the payment of money without the presentation of an itemized
22 statement or claim, approved by the superintendent of the
23 Commission and reported to the full Commission membership.

24 (i) Each Veterans Assistance Commission shall perform an
25 annual audit in accordance with the Governmental Account Audit
26 Act using either the auditing services provided by its

1 respective county or the services of an independent auditor
2 whose services shall be paid for by the Commission. A copy of
3 that audit report shall be provided to the president or
4 chairperson of the county board.

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

12 (k) The Veterans Assistance Commission shall be in charge
13 of the administration of any benefits provided under Articles
14 VI and IX of the Illinois Public Aid Code for military veterans
15 and their families.

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

21 (m) The superintendent of the Veterans Assistance
22 Commission and its employees must comply with the procedures
23 and regulations adopted by the Veterans Assistance Commission
24 and the regulations of the Department of Human Services.

25 (n) To further the intent of this Act of assisting
26 military veterans, this Act is to be construed so that the

1 Veterans Assistance Commission shall provide needed services
2 to eligible veterans.

3 (o) (1) In counties that did not have a Veterans Assistance
4 Commission prior to January 1, 2026, and in which there exists
5 a judicial circuit whose jurisdictional boundaries include
6 multiple counties, veteran service organizations located
7 within any of those counties that are within the judicial
8 circuit's jurisdictional boundaries may come together and
9 create a Jurisdictional Veterans Assistance Commission that
10 shall provide services to veterans and their families. The
11 Jurisdictional Veterans Assistance Commission shall be known
12 as the Veterans Assistance Commission of that judicial
13 circuit.

14 (2) The superintendent of a Jurisdictional Veterans
15 Assistance Commission formed in accordance with paragraph (1)
16 shall be selected from among all honorably discharged veterans
17 of all participating counties within that judicial circuit's
18 boundaries and shall maintain a centrally located office
19 within that judicial circuit. However, for a Jurisdictional
20 Veterans Assistance Commission formed within a large judicial
21 circuit, the superintendent is not precluded from having
22 multiple offices that shall be owned and maintained by the
23 Jurisdictional Veterans Assistance Commission.

24 (3) Delegates and alternates shall be selected by the
25 veterans service organizations of that judicial circuit in the
26 same manner as prescribed in paragraph (1) of subsection (a).

1 (4) Any existing Veterans Assistance Commission that is
2 part of a Judicial Circuit that is comprised of multiple
3 counties, as of January 1, 2025, may merge into a Veterans
4 Assistance Commission of that Judicial Circuit with its
5 neighboring counties. Those existing Veterans Assistance
6 Commissions that choose not to merge may continue to exist
7 independently while the other counties combine to form a new
8 Jurisdictional Veterans Assistance Commission of that judicial
9 circuit.

10 (5) Nothing in this amendatory Act of the 104th General
11 Assembly shall be interpreted to restrict any Jurisdictional
12 Veterans Assistance Commissions from providing services to
13 veterans and their families who reside outside of those
14 participating counties.

15 (Source: P.A. 102-484, eff. 8-20-21; 102-732, eff. 1-1-23;
16 102-1132, eff. 2-10-23.)".