

SB3069



96TH GENERAL ASSEMBLY

State of Illinois

2009 and 2010

SB3069

Introduced 2/8/2010, by Sen. David Koehler

SYNOPSIS AS INTRODUCED:

20 ILCS 2805/25

Amends the Department of Veterans Affairs Act. Expands the definition of "veterans service organization" to include organizations that are chartered by the United States Congress or incorporated in the State of Illinois (rather than, organizations that are chartered by the United States Congress and incorporated in the State of Illinois).

LRB096 20236 KTG 35811 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 Veterans Affairs Act is
5 amended by changing Section 25 as follows:

6 (20 ILCS 2805/25)

7 Sec. 25. Payments to veterans service organizations.

8 (a) In this Section:

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

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

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

18 (2) It is chartered by the United States Congress or
19 ~~and~~ incorporated in the State of Illinois.

20 (3) It maintained a state headquarters office in
21 Illinois for the 10-year period immediately preceding July
22 1, 2006.

23 (4) It maintains at least one office in this State

1 staffed by a veterans service officer.

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

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

6 "Veterans services" means the representation of veterans
7 in federal hearings to secure benefits for veterans and their
8 spouses and beneficiaries:

9 (1) Disability compensation benefits.

10 (2) Disability pension benefits.

11 (3) Dependents' indemnity compensation.

12 (4) Widow's death pension.

13 (5) Burial benefits.

14 (6) Confirmed and continued claims.

15 (7) Vocational rehabilitation and education.

16 (8) Waivers of indebtedness.

17 (9) Miscellaneous.

18 (b) The Veterans Service Organization Reimbursement Fund
19 is created as a special fund in the State treasury. Subject to
20 appropriation, the Department shall use moneys appropriated
21 from the Fund to make payments to a veterans service
22 organization for veterans services rendered on behalf of
23 veterans and their spouses and beneficiaries by a veterans
24 service officer employed by the organization. The payment shall
25 be computed at the rate of \$0.010 for each dollar of benefits
26 obtained for veterans or their spouses or beneficiaries

1 residing in Illinois as a result of the efforts of the veterans
2 service officer. There shall be no payment under this Section
3 for the value of health care received in a health care facility
4 under the jurisdiction of the United States Veterans
5 Administration. No more than 10% of the moneys in the fund may
6 be used by the Department for administrative purposes.

7 (c) To be eligible for a payment under this Section, a
8 veterans service organization must document the amount of new
9 moneys obtained for veterans and their spouses and
10 beneficiaries in the form and manner required by the
11 Department. The documentation must include the submission to
12 the Department of a copy of the organization's report or
13 reports to the United States Department of Veterans Affairs
14 stating the amount of new moneys obtained by the organization
15 for veterans and their spouses and beneficiaries in the quarter
16 for which payment under this Section is requested. The
17 organization must submit the copy of the report or reports, and
18 any other documentation required by the Department, to the
19 Department no later than 15 days following the end of the
20 quarter for which payment is requested.

21 (d) In addition to the requirement of subsection (b) that
22 the Department use moneys appropriated from the Veterans
23 Service Organization Reimbursement Fund for payments, the
24 Department may transfer up to \$1,000,000 of those appropriated
25 moneys into the Illinois Veterans Assistance Fund for the
26 making of grants to veterans service organizations as described

1 in subsection (b).

2 (e) A veterans service organization shall use moneys
3 received under this Section only for the purpose of paying the
4 salary and expenses of one or more veterans service officers
5 and the organization's related expenses incurred in employing
6 the officer or officers for the processing of claims and other
7 benefits for veterans and their spouses and beneficiaries.

8 (Source: P.A. 95-629, eff. 9-25-07; 95-876, eff. 8-21-08;
9 96-699, eff. 8-25-09.)