



Illinois State Association of Counties

ISSUE BRIEF

November 30, 2022

VETERANS ASSISTANCE COMMISSION TRAILER BILL (HB 5853)

A Veterans Assistance Commission (VAC) is a county governmental agency operated by and for United States Veterans. VACs are authorized to act as the central committee for veterans' assistance under the Military Veterans Assistance Act (330 ILCS 45/1) and are funded in accordance with the provisions of the Illinois Counties Code (55 ILCS 5/1-1001).

General Overview of Current Law (P.A. 102-0732)

The law as established by P.A. 102-0732 includes the following provisions of most concern to counties. These are issues related to funding, administration and county board oversight and were enacted on May 6, 2022, and scheduled to become effective on January 1, 2023.

- Established a minimum amount of annual funding equal to the lesser of .02% of the last known equalized assessed value (EAV) of the taxable property in the county OR an amount determined by the VAC to be "just and necessary."
- Placed administration of assistance involving state and local funds solely with the VAC. The county is required to continue its current obligation to appropriate additional sums to compensate officers and employees of the VAC but the VAC is not required to base compensation on county salary guidelines.
- Eliminated County Board participatory oversight regarding the distribution of moneys and supplies.

Changes Proposed by HB 5853

House Bill 5853 (Representative Kifowit, D-Aurora) is a trailer bill to P.A. 102-0732, which was enacted on May 6, 2022.

Transparency Provisions

- Requires that a copy of the annual VAC transaction report be provided to the President or Chairperson of the County Board. (Page 7)

- Requires VACs to submit to an annual financial audit in accordance with the Governmental Account Audit Act and makes funds provided to the VAC subject to financial compliance audits in accordance with the Illinois State Auditing Act. (Page 12)

County Oversight

- Establishes minimal oversight by allowing the county to appoint a representative to the VAC who may attend public meetings. The representative shall be a veteran, may not hold any office or title on the Commission or be present during nonpublic meetings of the Commission. (Page 10)

Funding

- The bill does not include an exemption from tax caps for revenues allocated by a county to the VAC. Requires counties to provide funding for furnishings, supplies and services, including but not limited to, human resources and payroll support, information technology services and equipment, printing services and equipment, postage costs and liability insurance. (Page 18)

Personnel Policies

- Requires VACs to adopt all applicable policies already established and in place in their respective counties, including policies related to compensation and employee rights. These policies shall be adapted to fit the organizational structure of the VAC. (Page 11)
- Requires the county to provide to VAC employees all benefits available to county employees, including but not limited to, Illinois Municipal Retirement Fund (IMRF) benefits, health, life and dental insurance and workers compensation benefits. Costs for these benefits may come from VAC funds. (Pages 18-19)

VAC Definition, Elections, Leadership and Governance

- The bill includes several provisions relevant to what constitutes a VAC, eligibility to serve on a VAC and exercise voting rights, the election process for VAC representatives and election/selection of the VAC Superintendent and review of their performance.

Remedies

- Included within the bill are provisions allowing for remedies when violations of the law occur.

Home Rule Preemption

- The bill includes a home rule preemption and would therefore be applicable to every county in the state, including Cook County. (Pages 20-21)