

# ISACo POLICY BRIEF

## Veterans' Assistance Commission Changes from P.A. 102-0732

May 23, 2022

### OVERVIEW

A Veterans Assistance Commission (VAC) is a county governmental agency operated by and for U.S. 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).

HB 5184, approved with unanimous bipartisan votes in the Illinois House and Senate, amends Illinois law to make several changes to how VACs are operated and funded. The bill was enacted into law by Governor JB Pritzker on May 6, 2022, as P.A. 102-0732. The new law becomes effective on January 1, 2023.

### Taxation and Funding Levels

The county board retains permissive authority to levy a tax up to the amount specified in the bill (.03% of assessed value). This is the levy amount previously permitted by law. This is now considered a separate levy and the funds are required to be placed into a special fund in the county treasury or disbursed to a properly organized VAC if one exists. This levy is not subject to limitations under the Property Tax Extension Limitation Law (PTELL).

The new law establishes 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." Disputes over what is "just and necessary" are evidence-based and resolved in circuit court. The 0.2% of EAV provision is not specifically included in the bill but is incorporated by reference from a statute in the Public Aid Code (305 ILCS 12-21.13) that establishes a minimum levy necessary to be eligible for state funds.

Funding for VACs may be derived from three sources, if applicable:

- a tax levied under Section 5-2006 of the Counties Code and Section 12-21.13 of the Public Aid Code.
- funds from the county general corporate fund.
- State funds from the Department of Human Services.

### Administration of Benefits and Appropriations

The administration of assistance involving state and local funds is invested 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. Compensation levels are recommended by the VAC.

## **Changes to Oversight and Accountability**

The county board chair or their designee no longer has participatory oversight over the distribution of moneys and supplies. The county auditor has been provided authority to require that the commandant/supervisor of the VAC secure a bond with “sufficient and satisfactory sureties for the faithful and honest discharge of their duties.”

