



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

HB4680

Introduced 2/6/2024, by Rep. Cyril Nichols

SYNOPSIS AS INTRODUCED:

330 ILCS 46/1
330 ILCS 46/5
330 ILCS 46/10
330 ILCS 46/15
330 ILCS 46/20
330 ILCS 46/25
330 ILCS 46/30
330 ILCS 46/35
330 ILCS 46/40
330 ILCS 46/45
330 ILCS 46/50

Amends the Veteran Service Organizations State Charter Act. Changes the name of the Act to the Veteran Service Organizations Equal Act. Provides that a veteran service organization shall be considered to have veteran service organization status (rather than shall be considered state chartered) when the organization meets all of the requirements listed in the Act and the organization's application for veteran service organization status (rather than state charter status) has been approved by the Attorney General. Makes corresponding changes throughout the Act. Provides that the Attorney General shall grant veteran service organization status (rather than state charter status) to any organization that has demonstrated that all requirements for obtaining veteran service organization status (rather than state charter status) have been met. Requires a veteran service organization to have annual expenditures that demonstrate that 20% (rather than a majority) of the organization's expenses reflect support for veterans in order to qualify for veteran service organization status. Requires an application for veteran service organization status to include a statement from the organization's Commander, President, or chief executive officer (rather than all officers of the organization) attesting that all requirements for a veteran service organization status have been met.

LRB103 35113 KTG 65070 b

A BILL FOR

1 AN ACT concerning veterans.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Veteran Service Organizations State Charter
5 Act is amended by changing the title of the Act and Sections 1,
6 5, 10, 15, 20, 25, 30, 35, 40, 45, and 50 as follows:

7 (330 ILCS 46/1)

8 (This Section may contain text from a Public Act with a
9 delayed effective date)

10 Sec. 1. Short title. This Act may be cited as the Veteran
11 Service Organizations Equal State Charter Act.

12 (Source: P.A. 103-405, eff. 1-1-24.)

13 (330 ILCS 46/5)

14 (This Section may contain text from a Public Act with a
15 delayed effective date)

16 Sec. 5. Veteran service organization status ~~State charter~~.

17 A veteran service organization shall be considered to have
18 veteran service organization status ~~state chartered~~ when the
19 organization meets all of the requirements listed in this Act
20 and the organization's application for veteran service
21 organization ~~state charter~~ status has been approved by the
22 Attorney General. Upon approval, the Attorney General shall

1 issue a letter granting veteran service organization ~~state~~
2 ~~charter~~ status to the organization.

3 (Source: P.A. 103-405, eff. 1-1-24.)

4 (330 ILCS 46/10)

5 (This Section may contain text from a Public Act with a
6 delayed effective date)

7 Sec. 10. Granting of veteran service organization ~~state~~
8 ~~charter~~ status. The Attorney General shall grant veteran
9 service organization ~~state charter~~ status to any organization
10 that has demonstrated that all requirements for obtaining
11 veteran service organization ~~state charter~~ status have been
12 met.

13 (Source: P.A. 103-405, eff. 1-1-24.)

14 (330 ILCS 46/15)

15 (This Section may contain text from a Public Act with a
16 delayed effective date)

17 Sec. 15. Veteran service organization ~~State charter~~
18 requirements. To qualify for veteran service organization
19 ~~state charter~~ status, a veteran service organization must:

20 (1) (A) Have been formed by and for veterans, have a
21 board where a majority of its members are veterans, and
22 have annual expenditures that demonstrate that 20% ~~a~~
23 ~~majority~~ of the organization's expenses reflect support
24 for veterans; or (B) have a paid membership of at least 15

1 individuals and be associated with a congressionally
2 chartered organization.

3 (2) Possess tax-exempt status from the Internal
4 Revenue Service either under Section 501(c)(3) or Section
5 501(c)(19) of the Internal Revenue Code and have the
6 primary charitable purpose of providing service or
7 assistance to veterans, their spouses, or their
8 dependents.

9 (3) Possess a current certificate of good standing as
10 an Illinois registered not-for-profit organization from
11 the Secretary of State.

12 (4) Obtain and maintain ongoing registration and
13 compliance under the Charitable Trust Act with the
14 Charitable Trust Bureau of the Attorney General's Office
15 or substantiation for an exemption.

16 (5) For organizations with veteran service officers,
17 demonstrate that each veteran service officer possesses a
18 valid U.S. Department of Veterans Affairs accreditation or
19 that such accreditation is pending.

20 (6) Comply with the methods and criteria set forth
21 under Section 9 of the Military Veterans Assistance Act if
22 the veteran service organization has delegates and
23 alternates or is in the process of selecting and
24 submitting delegates and alternates to a county Veterans
25 Assistance Commission at the time of application for
26 veteran service organization ~~State charter~~ status.

1 (Source: P.A. 103-405, eff. 1-1-24.)

2 (330 ILCS 46/20)

3 (This Section may contain text from a Public Act with a
4 delayed effective date)

5 Sec. 20. Application for veteran service organization
6 ~~state charter~~ status. A veteran service organization may
7 submit an application for veteran service organization ~~state~~
8 ~~charter~~ status to the Attorney General. All supporting
9 documentation demonstrating that each of the requirements
10 listed in this Act have been met shall be provided with the
11 application.

12 (Source: P.A. 103-405, eff. 1-1-24.)

13 (330 ILCS 46/25)

14 (This Section may contain text from a Public Act with a
15 delayed effective date)

16 Sec. 25. Attestation of compliance. Any application for
17 veteran service organization ~~state charter~~ status shall
18 include the following statement, from the Commander,
19 President, or chief executive officer: "I, ~~on organizational~~
20 ~~letterhead and signed by all officers: "All officers for~~
21 (insert lawful ~~organizational~~ name of the Commander,
22 President, or chief executive officer) do hereby attest that
23 all requirements for a veteran service organization status
24 ~~state charter~~ have been met, that there are no past or ongoing

1 enforcement actions or lawsuits against the organization or
2 any of its officers for violations or suspected violations of
3 the Consumer Fraud and Deceptive Business Practices Act, or
4 the Military Veterans Assistance Act, and that we will notify
5 the Attorney General within 30 days if, at any point, the
6 organization no longer meets one or more of the requirements
7 for veteran service organization ~~state charter~~ status."

8 (Source: P.A. 103-405, eff. 1-1-24.)

9 (330 ILCS 46/30)

10 (This Section may contain text from a Public Act with a
11 delayed effective date)

12 Sec. 30. Denial of veteran service organization ~~state~~
13 ~~charter~~. The Attorney General shall deny an application for
14 veteran service organization ~~state charter~~ status to any
15 organization that does not meet all the requirements for
16 veteran service organization ~~state charter~~ status in Section
17 15. Any organization whose veteran service organization ~~state~~
18 ~~charter~~ application has been denied may resubmit that
19 application once all deficiencies have been corrected.

20 (Source: P.A. 103-405, eff. 1-1-24.)

21 (330 ILCS 46/35)

22 (This Section may contain text from a Public Act with a
23 delayed effective date)

24 Sec. 35. Duration of veteran service organization ~~state~~

1 ~~charter~~ status. Veteran service organization ~~State charter~~
2 status shall be valid for 3 years. A veteran service
3 organization must reapply for veteran service organization
4 ~~state charter~~ status at least 120 days prior to the expiration
5 of its current ~~state charter~~ status.

6 (Source: P.A. 103-405, eff. 1-1-24.)

7 (330 ILCS 46/40)

8 (This Section may contain text from a Public Act with a
9 delayed effective date)

10 Sec. 40. Revocation. If the Attorney General is made
11 aware, either through notification as provided in Section 30
12 or through other information or evidence, that an organization
13 that has been granted veteran service organization ~~state~~
14 ~~charter~~ status no longer meets one or more of the requirements
15 of Section 15, the Attorney General may revoke the veteran
16 service organization ~~state charter~~ status. Nothing in this
17 Section is intended to take away or limit any powers of the
18 Attorney General under common law or other statutory law, and
19 the Attorney General may, in his or her sole discretion,
20 request that a court revoke veteran service organization ~~state~~
21 ~~charter~~ status based on other conduct not specifically listed
22 in this Section.

23 (Source: P.A. 103-405, eff. 1-1-24.)

24 (330 ILCS 46/45)

1 (This Section may contain text from a Public Act with a
2 delayed effective date)

3 Sec. 45. Publication of ~~state chartered~~ veteran service
4 organizations. The Attorney General shall maintain a publicly
5 accessible list of ~~state chartered~~ veteran service
6 organizations that are granted status in accordance with this
7 Act.

8 (Source: P.A. 103-405, eff. 1-1-24.)

9 (330 ILCS 46/50)

10 (This Section may contain text from a Public Act with a
11 delayed effective date)

12 Sec. 50. Violation; remedies. It is a violation of Section
13 9 of the Military Veterans Assistance Act for any person,
14 group, or entity to assert veteran service organization ~~state~~
15 ~~charter~~ status where such status has not been granted in
16 accordance with this Act or where such status has been
17 revoked. In addition to any other remedies, a court may assess
18 a civil penalty not to exceed \$5,000 for each violation of this
19 Act.

20 (Source: P.A. 103-405, eff. 1-1-24.)