

HB1763



100TH GENERAL ASSEMBLY

State of Illinois

2017 and 2018

HB1763

by Rep. Michael J. Madigan

SYNOPSIS AS INTRODUCED:

755 ILCS 5/6-1

from Ch. 110 1/2, par. 6-1

Amends the Probate Act of 1975. Makes a technical change to a Section concerning probate of wills.

LRB100 03402 HEP 13407 b

A BILL FOR

1 AN ACT concerning civil law.

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

4 Section 5. The Probate Act of 1975 is amended by changing
5 Section 6-1 as follows:

6 (755 ILCS 5/6-1) (from Ch. 110 1/2, par. 6-1)

7 Sec. 6-1. Duty to file will - altering, destroying or
8 secreting.)

9 (a) Immediately upon the ~~the~~ death of the testator any
10 person who has the testator's will in his possession shall file
11 it with the clerk of the court of the proper county and upon
12 failure or refusal to do so, the court on its motion or on the
13 petition of any interested person may issue an attachment and
14 compel the production of the will, subject to the provisions of
15 Section 5.15 of the Secretary of State Act.

16 (b) If any person wilfully alters or destroys a will
17 without the direction of the testator or wilfully secretes it
18 for the period of 30 days after the death of the testator is
19 known to him, the person so offending, on conviction thereof,
20 shall be sentenced as in cases of theft of property classified
21 as a Class 3 felony by the law in effect at the date of the
22 offense. The 30-day period does not apply to the Secretary of
23 State when acting pursuant to Section 5.15 of the Secretary of

1 State Act.

2 (Source: P.A. 96-137, eff. 1-1-10.)