

HB3089



100TH GENERAL ASSEMBLY

State of Illinois

2017 and 2018

HB3089

by Rep. Bill Mitchell

SYNOPSIS AS INTRODUCED:

755 ILCS 5/18-3

from Ch. 110 1/2, par. 18-3

Amends the Probate Act of 1975. Provides that a specified notice to creditors shall be delivered to the Illinois Department of Healthcare and Family Services, at the Bureau of Collections at the Chicago office of the Department, if the decedent was 55 years of age or older or resided in a nursing facility or other medical institution. Provides that a copy of the petition to admit the will to probate or for letters of administration and the decedent's social security number and date of birth shall be attached to the notice delivered to the Department.

LRB100 09137 HEP 19291 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 18-3 as follows:

6 (755 ILCS 5/18-3) (from Ch. 110 1/2, par. 18-3)

7 Sec. 18-3. Notice - Publication. (a) It is the duty of the
8 representative to publish once each week for 3 successive
9 weeks, and to mail or deliver to each creditor of the decedent
10 whose name and post office address are known to or are
11 reasonably ascertainable by the representative and whose claim
12 has not been allowed or disallowed as provided in Section
13 18-11, a notice stating the death of the decedent, the name and
14 address of the representative and of his attorney of record,
15 that claims may be filed on or before the date stated in the
16 notice, which date shall be not less than 6 months from the
17 date of the first publication or 3 months from the date of
18 mailing or delivery, whichever is later, and that any claim not
19 filed on or before that date is barred.

20 (b) The published notice under subsection (a) of this
21 Section must be published in a newspaper published in the
22 county where the estate is being administered and may be
23 combined with any notice under Section 6-10 or subsection (b)

1 of Section 9-5. The representative must file proof of
2 publication with the clerk of the court.

3 (c) The notice required by subsection (a) of this Section
4 shall also be delivered to the Illinois Department of
5 Healthcare and Family Services if the decedent was 55 years of
6 age or older or resided in a nursing facility or other medical
7 institution. The notice shall be delivered to the Bureau of
8 Collections at the Chicago office of the Department. A copy of
9 the petition to admit the will to probate or for letters of
10 administration and the decedent's social security number and
11 date of birth shall be attached to the notice delivered to the
12 Department.

13 (Source: P.A. 86-815.)