

1 AN ACT concerning State government.

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

4 Section 5. The Crematory Regulation Act is amended by
5 changing Section 5 as follows:

6 (410 ILCS 18/5)

7 (Section scheduled to be repealed on January 1, 2021)

8 Sec. 5. Definitions. As used in this Act:

9 "Address of record" means the designated address recorded
10 by the Comptroller in the applicant's or licensee's application
11 file or license file. It is the duty of the applicant or
12 licensee to inform the Comptroller of any change of address
13 within 14 days, and such changes must be made either through
14 the Comptroller's website or by contacting the Comptroller. The
15 address of record shall be the permanent street address of the
16 crematory.

17 "Alternative container" means a receptacle, other than a
18 casket, in which human remains are transported to the crematory
19 and placed in the cremation chamber for cremation. An
20 alternative container shall be (i) composed of readily
21 combustible or consumable materials suitable for cremation,
22 (ii) able to be closed in order to provide a complete covering
23 for the human remains, (iii) resistant to leakage or spillage,

1 (iv) rigid enough for handling with ease, and (v) able to
2 provide protection for the health, safety, and personal
3 integrity of crematory personnel.

4 "Authorizing agent" means a person legally entitled to
5 order the cremation and final disposition of specific human
6 remains.

7 "Body parts" means limbs or other portions of the anatomy
8 that are removed from a person or human remains for medical
9 purposes during treatment, surgery, biopsy, autopsy, or
10 medical research; or human bodies or any portion of bodies that
11 have been donated to science for medical research purposes.

12 "Burial transit permit" means a permit for disposition of a
13 dead human body as required by Illinois law.

14 "Casket" means a rigid container that is designed for the
15 encasement of human remains, is usually constructed of wood,
16 metal, or like material and ornamented and lined with fabric,
17 and may or may not be combustible.

18 "Comptroller" means the Comptroller of the State of
19 Illinois.

20 "Cremated remains" means all human remains recovered after
21 the completion of the cremation, which may possibly include the
22 residue of any foreign matter including casket material,
23 bridgework, or eyeglasses, that was cremated with the human
24 remains.

25 "Cremation" means the technical process, using heat and
26 flame, or alkaline hydrolysis that reduces human remains to

1 bone fragments. The reduction takes place through heat and
2 evaporation or through hydrolysis. Cremation shall include the
3 processing, and may include the pulverization, of the bone
4 fragments.

5 "Cremation chamber" means the enclosed space within which
6 the cremation takes place.

7 "Cremation interment container" means a rigid outer
8 container that, subject to a cemetery's rules and regulations,
9 is composed of concrete, steel, fiberglass, or some similar
10 material in which an urn is placed prior to being interred in
11 the ground, and which is designed to withstand prolonged
12 exposure to the elements and to support the earth above the
13 urn.

14 "Cremation room" means the room in which the cremation
15 chamber is located.

16 "Crematory" means the building or portion of a building
17 that houses the cremation room and the holding facility.

18 "Crematory authority" means the legal entity which is
19 licensed by the Comptroller to operate a crematory and to
20 perform cremations.

21 "Final disposition" means the burial, cremation, or other
22 disposition of a dead human body or parts of a dead human body.

23 "Funeral director" means a person known by the title of
24 "funeral director", "funeral director and embalmer", or other
25 similar words or titles, licensed by the State to practice
26 funeral directing or funeral directing and embalming.

1 "Funeral establishment" means a building or separate
2 portion of a building having a specific street address and
3 location and devoted to activities relating to the shelter,
4 care, custody, and preparation of a deceased human body and may
5 contain facilities for funeral or wake services.

6 "Holding facility" means an area that (i) is designated for
7 the retention of human remains prior to cremation, (ii)
8 complies with all applicable public health law, (iii) preserves
9 the health and safety of the crematory authority personnel, and
10 (iv) is secure from access by anyone other than authorized
11 persons. A holding facility may be located in a cremation room.

12 "Human remains" means the body of a deceased person,
13 including any form of body prosthesis that has been permanently
14 attached or implanted in the body.

15 "Licensee" means an entity licensed under this Act. An
16 entity that holds itself as a licensee or that is accused of
17 unlicensed practice is considered a licensee for purposes of
18 enforcement, investigation, hearings, and the Illinois
19 Administrative Procedure Act.

20 "Niche" means a compartment or cubicle for the
21 memorialization and permanent placement of an urn containing
22 cremated remains.

23 "Person" means any person, partnership, association,
24 corporation, limited liability company, or other entity, and in
25 the case of any such business organization, its officers,
26 partners, members, or shareholders possessing 25% or more of

1 ownership of the entity.

2 "Processing" means the reduction of identifiable bone
3 fragments after the completion of the cremation process to
4 unidentifiable bone fragments by manual or mechanical means.

5 "Pulverization" means the reduction of identifiable bone
6 fragments after the completion of the cremation process to
7 granulated particles by manual or mechanical means.

8 "Scattering area" means an area which may be designated by
9 a cemetery and located on dedicated cemetery property or
10 property used for outdoor recreation or natural resource
11 conservation owned by the Department of Natural Resources and
12 designated as a scattering area, where cremated remains, which
13 have been removed from their container, can be mixed with, or
14 placed on top of, the soil or ground cover.

15 "Temporary container" means a receptacle for cremated
16 remains, usually composed of cardboard, plastic or similar
17 material, that can be closed in a manner that prevents the
18 leakage or spillage of the cremated remains or the entrance of
19 foreign material, and is a single container of sufficient size
20 to hold the cremated remains until an urn is acquired or the
21 cremated remains are scattered.

22 "Urn" means a receptacle designed to encase the cremated
23 remains.

24 (Source: P.A. 96-863, eff. 3-1-12; 97-679, eff. 2-6-12.)