

SB3120



100TH GENERAL ASSEMBLY

State of Illinois

2017 and 2018

SB3120

Introduced 2/15/2018, by Sen. Chris Nybo

SYNOPSIS AS INTRODUCED:

755 ILCS 5/18-10

from Ch. 110 1/2, par. 18-10

Amends the Probate Act of 1975 in connection with the classification of claims against the estate of the decedent. Provides that a claim for reasonable and necessary medical, hospital, and nursing home expenses for the care of the decedent during the year immediately preceding death is classified equally with claims for money due employees of the decedent for services rendered of not more than \$800 for each claimant for services rendered within 4 months prior to the decedent's death. Removes expenses of attending the decedent's last illness from the class. Effective immediately.

LRB100 19566 JLS 34834 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 18-10 as follows:

6 (755 ILCS 5/18-10) (from Ch. 110 1/2, par. 18-10)

7 Sec. 18-10. Classification of claims against decedent's
8 estate. All claims against the estate of a decedent are divided
9 into classes in the manner following:

10 1st: Funeral and burial expenses, expenses of
11 administration, and statutory custodial claims. For the
12 purposes of this paragraph, funeral and burial expenses paid by
13 any person, including a surviving spouse, are funeral and
14 burial expenses; and funeral and burial expenses include
15 reasonable amounts paid for a burial space, crypt or niche, a
16 marker on the burial space, care of the burial space, crypt or
17 niche, and interest on these amounts. Interest on these amounts
18 shall accrue beginning 60 days after issuance of letters of
19 office to the representative of the decedent's estate, or if no
20 such letters of office are issued, then beginning 60 days after
21 those amounts are due, up to the rate of 9% per annum as
22 allowed by contract or law.

23 2nd: The surviving spouse's or child's award.

1 3rd: Debts due the United States.

2 4th: Reasonable and necessary medical, hospital, and
3 nursing home expenses for the care of the decedent during the
4 year immediately preceding death; and money ~~Money~~ due employees
5 of the decedent of not more than \$800 for each claimant for
6 services rendered within 4 months prior to the decedent's death
7 ~~and expenses attending the last illness.~~

8 5th: Money and property received or held in trust by
9 decedent which cannot be identified or traced.

10 6th: Debts due this State and any county, township, city,
11 town, village or school district located within this State.

12 7th: All other claims.

13 (Source: P.A. 87-509.)

14 Section 99. Effective date. This Act takes effect upon
15 becoming law.