



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

SB2643

Introduced 11/8/2023, by Sen. Doris Turner

SYNOPSIS AS INTRODUCED:

New Act

225 ILCS 41/1-10

225 ILCS 41/1-30

225 ILCS 41/10-25

410 ILCS 18/5

410 ILCS 18/20

410 ILCS 18/25

410 ILCS 18/35

410 ILCS 535/1

from Ch. 111 1/2, par. 73-1

410 ILCS 535/18

from Ch. 111 1/2, par. 73-18

410 ILCS 535/20

from Ch. 111 1/2, par. 73-20

410 ILCS 535/21

from Ch. 111 1/2, par. 73-21

Creates the Reestablishing Integrity in Death Care Act. Provides that no later than January 1, 2025, when a death occurs within the State, the deceased's body, body bag, and any body part, organ, or tissue separated from the deceased to be used in nontransplant organ donation shall be affixed with a unique identifier, and chain of custody documentation shall be maintained for all dead bodies and human remains. Specifies requirements for the unique identifier and chain of custody documentation. Provides that the State Comptroller, the Department of Financial and Professional Regulation, and the Department of Public Health may inspect any business, provider, or facility in the State that handles dead bodies or human remains to ensure compliance with the Act and the rules adopted under the Act. Authorizes rulemaking to implement and enforce the Act. Amends the Funeral Directors and Embalmers Licensing Code, the Crematory Regulation Act, and the Vital Records Act to make conforming and other changes. Effective immediately.

LRB103 35293 RPS 65331 b

1 AN ACT concerning health.

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

4 Section 1. Short title. This Act may be cited as the
5 Reestablishing Integrity in Death Care Act.

6 Section 5. Purpose.

7 (a) The purpose of this Act is to reestablish integrity in
8 death care by:

9 (1) implementing a mandatory unique identification
10 system for every death that occurs in the State; and

11 (2) establishing a chain of custody system that tracks
12 the human remains of a deceased individual whose death
13 occurred in the State from death to final disposition, if
14 the final disposition is in the State.

15 (b) The People of the State of Illinois intend that the
16 provisions of this Act, together with other provisions of
17 State law, will prevent:

18 (1) the misidentification of dead bodies or human
19 remains;

20 (2) the misplacement of dead bodies or human remains;
21 and

22 (3) conduct that results in a method of final
23 disposition that differs from what is stipulated by the

1 deceased individual or the deceased's next of kin through
2 other applicable State laws.

3 Section 10. Definitions. In this Act:

4 "Chain of custody documentation" means a record that
5 establishes the continuous location and control of a dead
6 body, body parts, or human remains, which includes (i) the
7 deceased's unique identifier; (ii) a list of each death care
8 provider that came in contact with the dead body; (iii) a list
9 of each service performed detailing the provider, location,
10 and date; and (iv) the signature of the individual who
11 executes final disposition.

12 "Unique identifier" means providing the deceased with
13 individual identification, through tagging, numbering, QR
14 code, or other individualized means, that is affixed to the
15 dead body, the body bag, and any body part, organ, or tissue
16 separated from the deceased to be used in nontransplant organ
17 donation in order to prevent misidentification of human
18 remains.

19 Section 15. Requirements.

20 (a) No later than January 1, 2025, when a death occurs
21 within the State, the deceased's body, body bag, and any body
22 part, organ, or tissue separated from the deceased to be used
23 in nontransplant organ donation shall be affixed with a unique
24 identifier. The unique identifier shall remain affixed to the

1 deceased for identification purposes from the time the funeral
2 director who first assumes control of the body of a deceased
3 individual creates and affixes the unique identifier on the
4 deceased until the last feasible moment before final
5 disposition, if final disposition occurs in the State.

6 (b) No later than January 1, 2025, when a death occurs in
7 the State, chain of custody documentation shall be maintained
8 for all dead bodies and human remains. The chain of custody
9 documentation shall follow and be maintained with the human
10 remains from the time the funeral director who first assumes
11 control of the body of a deceased individual creates the chain
12 of custody documentation to the last feasible moment before
13 final disposition, if final disposition is within the State or
14 the human remains are returned to the State. If human remains
15 are returned to the next of kin under other applicable State
16 law, then the chain of custody documentation shall be provided
17 to the deceased's next of kin following final disposition.

18 (c) The chain of custody documentation shall include (i)
19 the deceased's unique identifier; (ii) a list of each death
20 care provider that came in contact with the dead body; (iii) a
21 list of each service performed detailing the provider,
22 location, and date; and (iv) the signature of the individual
23 who executes final disposition.

24 Section 20. Enforcement; rulemaking.

25 (a) The State Comptroller, the Department of Financial and

1 Professional Regulation, and the Department of Public Health
2 are authorized to adopt, modify, amend, repeal, and enforce
3 rules for the purpose of reestablishing a death care system
4 where all human remains of deceased individuals whose death
5 occurred in the State shall:

6 (1) be affixed with a unique identifier from the time
7 of death to final disposition, if the disposition occurs
8 in the State; and

9 (2) be accompanied with maintained chain of custody
10 documentation from the time of death to final disposition,
11 if the disposition occurs in the State.

12 (b) The State Comptroller, the Department of Financial and
13 Professional Regulation, and the Department of Public Health
14 may inspect any business, provider, or facility in the State
15 that handles dead bodies or human remains to ensure compliance
16 with this Act and the rules adopted under this Act.

17 Section 900. The Funeral Directors and Embalmers Licensing
18 Code is amended by changing Sections 1-10, 1-30, and 10-25 as
19 follows:

20 (225 ILCS 41/1-10)

21 (Section scheduled to be repealed on January 1, 2028)

22 Sec. 1-10. Definitions. As used in this Code:

23 "Address of record" means the designated address recorded
24 by the Department in the applicant's or licensee's application

1 file or license file.

2 "Applicant" means any person making application for a
3 license. Any applicants or people who hold themselves out as
4 applicants are considered licensees for purposes of
5 enforcement, investigation, hearings, and the Illinois
6 Administrative Procedure Act.

7 "Board" means the Funeral Directors and Embalmers
8 Licensing and Disciplinary Board.

9 "Certificate of Death" means a certificate of death as
10 referenced in the Illinois Vital Records Act.

11 "Chain of custody documentation" means a record that
12 establishes the continuous location and control of a dead
13 body, body parts, or human remains as described in the
14 Reestablishing Integrity in Death Care Act.

15 "Department" means the Department of Financial and
16 Professional Regulation.

17 "Email address of record" means the designated email
18 address recorded by the Department in the applicant's
19 application file or the licensee's license file as maintained
20 by the Department's licensure maintenance unit.

21 "Funeral director and embalmer" means a person who is
22 licensed and qualified to practice funeral directing and to
23 prepare, disinfect and preserve dead human bodies by the
24 injection or external application of antiseptics,
25 disinfectants or preservative fluids and materials and to use
26 derma surgery or plastic art for the restoring of mutilated

1 features. It further means a person who restores the remains
2 of a person for the purpose of funeralization whose organs or
3 bone or tissue has been donated for anatomical purposes.

4 "Funeral director and embalmer intern" means a person
5 licensed by the Department who is qualified to render
6 assistance to a funeral director and embalmer in carrying out
7 the practice of funeral directing and embalming under the
8 supervision of the funeral director and embalmer.

9 "Embalming" means the process of sanitizing and chemically
10 treating a deceased human body in order to reduce the presence
11 and growth of microorganisms, to retard organic decomposition,
12 to render the remains safe to handle while retaining
13 naturalness of tissue, and to restore an acceptable physical
14 appearance for funeral viewing purposes.

15 "Funeral director" means a person, known by the title of
16 "funeral director" or other similar words or titles, licensed
17 by the Department who practices funeral directing.

18 "Funeral establishment", "funeral chapel", "funeral home",
19 or "mortuary" means a building or separate portion of a
20 building having a specific street address or location and
21 devoted to activities relating to the shelter, care, custody
22 and preparation of a deceased human body and which may contain
23 facilities for funeral or wake services.

24 "Licensee" means a person licensed under this Code as a
25 funeral director, funeral director and embalmer, or funeral
26 director and embalmer intern. Anyone who holds himself or

1 herself out as a licensee or who is accused of unlicensed
2 practice is considered a licensee for purposes of enforcement,
3 investigation, hearings, and the Illinois Administrative
4 Procedure Act.

5 "Owner" means the individual, partnership, corporation,
6 limited liability company, association, trust, estate, or
7 agent thereof, or other person or combination of persons who
8 owns a funeral establishment or funeral business.

9 "Person" means any individual, partnership, association,
10 firm, corporation, limited liability company, trust or estate,
11 or other entity. "Person" includes both natural persons and
12 legal entities.

13 "Secretary" means the Secretary of Financial and
14 Professional Regulation.

15 "Unique identifier" means providing the deceased with
16 individual identification, through tagging, numbering, QR
17 code, or other individualized means, that is affixed to the
18 dead body, the body bag, and any body part, organ, or tissue
19 separated from the deceased to be used in nontransplant organ
20 donation in order to prevent misidentification of human
21 remains as described in the Reestablishing Integrity in Death
22 Care Act.

23 (Source: P.A. 102-881, eff. 1-1-23.)

24 (225 ILCS 41/1-30)

25 (Section scheduled to be repealed on January 1, 2028)

1 Sec. 1-30. Powers of the Department. Subject to the
2 provisions of this Code, the Department may exercise the
3 following powers:

4 (1) To authorize examinations to ascertain the
5 qualifications and fitness of applicants for licensing as
6 a licensed funeral director and embalmer and pass upon the
7 qualifications of applicants for licensure.

8 (2) To examine the records of a licensed funeral
9 director or licensed funeral director and embalmer from
10 any year or any other aspect of funeral directing and
11 embalming as the Department deems appropriate.

12 (3) To investigate any and all funeral directing and
13 embalming activity.

14 (4) To conduct hearings on proceedings to refuse to
15 issue or renew licenses or to revoke, suspend, place on
16 probation, reprimand, or otherwise discipline a license
17 under this Code or take other non-disciplinary action.

18 (5) To adopt all necessary and reasonable rules and
19 regulations for the effective administration of this Code.

20 (6) To prescribe forms to be issued for the
21 administration and enforcement of this Code.

22 (7) (Blank).

23 (8) To contract with third parties for services
24 necessary for the proper administration of this Code
25 including, without limitation, investigators with the
26 proper knowledge, training, and skills to properly inspect

1 funeral homes and investigate complaints under this Code.

2 (9) To adopt rules requiring that all human remains be
3 affixed with a unique identifier under this Code.

4 (10) To adopt rules that implement chain of custody
5 documentation for human remains.

6 (Source: P.A. 102-881, eff. 1-1-23.)

7 (225 ILCS 41/10-25)

8 (Section scheduled to be repealed on January 1, 2028)

9 Sec. 10-25. Examinations. The Department shall authorize
10 and hold examinations of applicants for licenses as licensed
11 funeral directors and embalmers. The examination may include
12 both practical demonstrations and written and oral tests and
13 shall embrace the subjects of anatomy, sanitary science,
14 health regulations in relation to the handling of deceased
15 human bodies, identification rules and regulations in relation
16 to the handling and storing of multiple human bodies, measures
17 used by funeral directors and embalmers for the prevention of
18 the spread of diseases, the care, preservation, embalming,
19 transportation, and burial of dead human bodies, and other
20 subjects relating to the care and handling of deceased human
21 bodies as set forth in this Article and as the Department by
22 rule may prescribe.

23 Whenever the Secretary is not satisfied that substantial
24 justice has been done in an examination, the Secretary may
25 order a reexamination.

1 If an applicant neglects, fails without an approved excuse
2 or refuses to take the next available examination offered for
3 licensure under this Code, the fee paid by the applicant shall
4 be forfeited to the Department and the application denied. If
5 an applicant fails to pass an examination for licensure under
6 this Code within 3 years after filing an application, the
7 application shall be denied. However, the applicant may
8 thereafter make a new application for examination which shall
9 be accompanied by the required fee.

10 (Source: P.A. 96-1463, eff. 1-1-11.)

11 Section 905. The Crematory Regulation Act is amended by
12 changing Sections 5, 20, 25, and 35 as follows:

13 (410 ILCS 18/5)

14 (Section scheduled to be repealed on January 1, 2029)

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

16 "Address of record" means the designated address recorded
17 by the Comptroller in the applicant's or licensee's
18 application file or license file. It is the duty of the
19 applicant or licensee to inform the Comptroller of any change
20 of address within 14 days, and such changes must be made either
21 through the Comptroller's website or by contacting the
22 Comptroller. The address of record shall be the permanent
23 street address of the crematory.

24 "Alternative container" means a receptacle, other than a

1 casket, in which human remains are transported to the
2 crematory and placed in the cremation chamber for cremation.
3 An alternative container shall be (i) composed of readily
4 combustible or consumable materials suitable for cremation,
5 (ii) able to be closed in order to provide a complete covering
6 for the human remains, (iii) resistant to leakage or spillage,
7 (iv) rigid enough for handling with ease, and (v) able to
8 provide protection for the health, safety, and personal
9 integrity of crematory personnel.

10 "Authorizing agent" means a person legally entitled to
11 order the cremation and final disposition of specific human
12 remains. "Authorizing agent" includes an institution of
13 medical, mortuary, or other sciences as provided in Section 20
14 of the Disposition of Remains of the Indigent Act.

15 "Body parts" means limbs or other portions of the anatomy
16 that are removed from a person or human remains for medical
17 purposes during treatment, surgery, biopsy, autopsy, or
18 medical research; or human bodies or any portion of bodies
19 that have been donated to science for medical research
20 purposes.

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

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

1 "Chain of custody documentation" means a record that
2 establishes the continuous location and control of a dead
3 body, body parts, or human remains as described in the
4 Reestablishing Integrity in Death Care Act.

5 "Comptroller" means the Comptroller of the State of
6 Illinois.

7 "Cremated remains" means all human remains recovered after
8 the completion of the cremation, which may possibly include
9 the residue of any foreign matter including casket material,
10 bridgework, or eyeglasses, that was cremated with the human
11 remains.

12 "Cremation" means the technical process, using heat and
13 flame, or alkaline hydrolysis that reduces human remains to
14 bone fragments. The reduction takes place through heat and
15 evaporation or through hydrolysis. Cremation shall include the
16 processing, and may include the pulverization, of the bone
17 fragments.

18 "Cremation chamber" means the enclosed space within which
19 the cremation takes place.

20 "Cremation interment container" means a rigid outer
21 container that, subject to a cemetery's rules and regulations,
22 is composed of concrete, steel, fiberglass, or some similar
23 material in which an urn is placed prior to being interred in
24 the ground, and which is designed to withstand prolonged
25 exposure to the elements and to support the earth above the
26 urn.

1 "Cremation room" means the room in which the cremation
2 chamber is located.

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

5 "Crematory authority" means the legal entity which is
6 licensed by the Comptroller to operate a crematory and to
7 perform cremations.

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

10 "Funeral director" means a person known by the title of
11 "funeral director", "funeral director and embalmer", or other
12 similar words or titles, licensed by the State to practice
13 funeral directing or funeral directing and embalming.

14 "Funeral establishment" means a building or separate
15 portion of a building having a specific street address and
16 location and devoted to activities relating to the shelter,
17 care, custody, and preparation of a deceased human body and
18 may contain facilities for funeral or wake services.

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

26 "Human remains" means the body of a deceased person,

1 including any form of body prosthesis that has been
2 permanently attached or implanted in the body.

3 "Licensee" means an entity licensed under this Act. An
4 entity that holds itself as a licensee or that is accused of
5 unlicensed practice is considered a licensee for purposes of
6 enforcement, investigation, hearings, and the Illinois
7 Administrative Procedure Act.

8 "Niche" means a compartment or cubicle for the
9 memorialization and permanent placement of an urn containing
10 cremated remains.

11 "Person" means any person, partnership, association,
12 corporation, limited liability company, or other entity, and
13 in the case of any such business organization, its officers,
14 partners, members, or shareholders possessing 25% or more of
15 ownership of the entity.

16 "Processing" means the reduction of identifiable bone
17 fragments after the completion of the cremation process to
18 unidentifiable bone fragments by manual or mechanical means.

19 "Pulverization" means the reduction of identifiable bone
20 fragments after the completion of the cremation process to
21 granulated particles by manual or mechanical means.

22 "Scattering area" means an area which may be designated by
23 a cemetery and located on dedicated cemetery property or
24 property used for outdoor recreation or natural resource
25 conservation owned by the Department of Natural Resources and
26 designated as a scattering area, where cremated remains, which

1 have been removed from their container, can be mixed with, or
2 placed on top of, the soil or ground cover.

3 "Temporary container" means a receptacle for cremated
4 remains, usually composed of cardboard, plastic or similar
5 material, that can be closed in a manner that prevents the
6 leakage or spillage of the cremated remains or the entrance of
7 foreign material, and is a single container of sufficient size
8 to hold the cremated remains until an urn is acquired or the
9 cremated remains are scattered.

10 "Unique identifier" means providing the deceased with
11 individual identification, through tagging, numbering, QR
12 code, or other individualized means, that is affixed to the
13 dead body, the body bag, and any body part, organ, or tissue
14 separated from the deceased to be used in nontransplant organ
15 donation in order to prevent misidentification of human
16 remains as described in the Reestablishing Integrity in Death
17 Care Act.

18 "Urn" means a receptacle designed to encase the cremated
19 remains.

20 (Source: P.A. 100-97, eff. 1-1-18; 100-526, eff. 6-1-18;
21 100-863, eff. 8-14-18.)

22 (410 ILCS 18/20)

23 (Section scheduled to be repealed on January 1, 2029)

24 Sec. 20. Authorization to cremate.

25 (a) A crematory authority shall not cremate human remains

1 until it has received all of the following:

2 (1) A cremation authorization form signed, in either
3 paper or electronic format, by an authorizing agent. The
4 cremation authorization form shall be provided by the
5 crematory authority and shall contain, at a minimum, the
6 following information:

7 (A) The identity of the human remains and the time
8 and date of death.

9 (B) The name of the funeral director and funeral
10 establishment, if applicable, that obtained the
11 cremation authorization.

12 (C) Notification as to whether the death occurred
13 from a disease declared by the Department of Health to
14 be infectious, contagious, communicable, or dangerous
15 to the public health.

16 (D) The name of the authorizing agent and the
17 relationship between the authorizing agent and the
18 decedent.

19 (E) A representation that the authorizing agent
20 does in fact have the right to authorize the cremation
21 of the decedent, and that the authorizing agent is not
22 aware of any living person who has a superior priority
23 right to that of the authorizing agent, as set forth in
24 Section 15. In the event there is another living
25 person who has a superior priority right to that of the
26 authorizing agent, the form shall contain a

1 representation that the authorizing agent has made all
2 reasonable efforts to contact that person, has been
3 unable to do so, and has no reason to believe that the
4 person would object to the cremation of the decedent.

5 (F) Authorization for the crematory authority to
6 cremate the human remains.

7 (G) A representation that the human remains do not
8 contain a pacemaker or any other material or implant
9 that may be potentially hazardous or cause damage to
10 the cremation chamber or the person performing the
11 cremation.

12 (H) The name of the person authorized to receive
13 the cremated remains from the crematory authority.

14 (I) The manner in which final disposition of the
15 cremated remains is to take place, if known. If the
16 cremation authorization form does not specify final
17 disposition in a grave, crypt, niche, or scattering
18 area, then the form may indicate that the cremated
19 remains will be held by the crematory authority for 30
20 days before they are released, unless they are picked
21 up from the crematory authority prior to that time, in
22 person, by the authorizing agent. At the end of the 30
23 days the crematory authority may return the cremated
24 remains to the authorizing agent if no final
25 disposition arrangements are made; or at the end of 60
26 days the crematory authority may dispose of the

1 cremated remains in accordance with subsection (d) of
2 Section 40.

3 (J) A listing of any items of value to be delivered
4 to the crematory authority along with the human
5 remains, and instructions as to how the items should
6 be handled.

7 (K) A specific statement as to whether the
8 authorizing agent has made arrangements for any type
9 of viewing of the decedent before cremation, or for a
10 service with the decedent present before cremation in
11 connection with the cremation, and if so, the date and
12 time of the viewing or service and whether the
13 crematory authority is authorized to proceed with the
14 cremation upon receipt of the human remains.

15 (L) The signature, in either paper or electronic
16 format, of the authorizing agent, attesting to the
17 accuracy of all representations contained on the
18 cremation authorization form, except as set forth in
19 paragraph (M) of this subsection.

20 (M) If a cremation authorization form is being
21 executed on a pre-need basis, the cremation
22 authorization form shall contain the disclosure
23 required by subsection (b) of Section 140.

24 (N) The cremation authorization form, other than
25 pre-need cremation forms, shall also be signed, in
26 either paper or electronic format, by a funeral

1 director or other representative of the funeral
2 establishment that obtained the cremation
3 authorization. That individual shall merely execute
4 the cremation authorization form as a witness and
5 shall not be responsible for any of the
6 representations made by the authorizing agent, unless
7 the individual has actual knowledge to the contrary.
8 The information requested by items (A), (B), (C) and
9 (G) of this subsection, however, shall be considered
10 to be representations of the authorizing agent. In
11 addition, the funeral director or funeral
12 establishment shall warrant to the crematory that the
13 human remains delivered to the crematory authority are
14 the human remains identified on the cremation
15 authorization form.

16 (2) A completed and executed burial transit permit
17 indicating that the human remains are to be cremated.

18 (3) Any other documentation required by this State,
19 including documentation establishing that the human
20 remains have a unique identifier affixed to the human
21 body, body bag, or body parts and are accompanied with
22 chain of custody documentation.

23 (b) If an authorizing agent is not available to execute a
24 cremation authorization form in person, that person may
25 delegate that authority to another person in writing, or by
26 sending the crematory authority a facsimile transmission that

1 contains the name, address, and relationship of the sender to
2 the decedent and the name and address of the individual to whom
3 authority is delegated. Upon receipt of the written document,
4 or facsimile transmission, telegram, or other electronic
5 telecommunications transmission which specifies the individual
6 to whom authority has been delegated, the crematory authority
7 shall allow this individual to serve as the authorizing agent
8 and to execute the cremation authorization form. The crematory
9 authority shall be entitled to rely upon the cremation
10 authorization form without liability.

11 (c) An authorizing agent who signs, in either paper or
12 electronic format, a cremation authorization form shall be
13 deemed to warrant the truthfulness of any facts set forth on
14 the cremation authorization form, including that person's
15 authority to order the cremation; except for the information
16 required by items (C) and (G) of paragraph (1) of subsection
17 (a) of this Section, unless the authorizing agent has actual
18 knowledge to the contrary. An authorizing agent signing, in
19 either paper or electronic format, a cremation authorization
20 form shall be personally and individually liable for all
21 damages occasioned by and resulting from authorizing the
22 cremation.

23 (d) A crematory authority shall have authority to cremate
24 human remains upon the receipt of a cremation authorization
25 form signed, in either paper or electronic format, by an
26 authorizing agent. There shall be no liability for a crematory

1 authority that cremates human remains according to an
2 authorization, or that releases or disposes of the cremated
3 remains according to an authorization, except for a crematory
4 authority's gross negligence, provided that the crematory
5 authority performs its functions in compliance with this Act.

6 (e) After an authorizing agent has executed a cremation
7 authorization form, the authorizing agent may revoke the
8 authorization and instruct the crematory authority to cancel
9 the cremation and to release or deliver the human remains to
10 another crematory authority or funeral establishment. The
11 instructions shall be provided to the crematory authority in
12 writing. A crematory authority shall honor any instructions
13 given to it by an authorizing agent under this Section if it
14 receives the instructions prior to beginning the cremation of
15 the human remains.

16 (Source: P.A. 102-824, eff. 1-1-23.)

17 (410 ILCS 18/25)

18 (Section scheduled to be repealed on January 1, 2029)

19 Sec. 25. Recordkeeping.

20 (a) The crematory authority shall furnish to the person
21 who delivers human remains to the crematory authority a
22 receipt signed, in either paper or electronic format, at the
23 time of delivery by both the crematory authority and the
24 person who delivers the human remains, showing the date and
25 time of the delivery, the type of casket or alternative

1 container that was delivered, the name of the person from whom
2 the human remains were received and the name of the funeral
3 establishment or other entity with whom the person is
4 affiliated, the name of the person who received the human
5 remains on behalf of the crematory authority, and the name of
6 the decedent. The crematory shall retain a copy of this
7 receipt in its permanent records.

8 (b) Upon its release of cremated remains, the crematory
9 authority shall furnish to the person who receives the
10 cremated remains from the crematory authority a receipt
11 signed, in either paper or electronic format, by both the
12 crematory authority and the person who receives the cremated
13 remains, showing the date and time of the release, the name of
14 the person to whom the cremated remains were released and the
15 name of the funeral establishment, cemetery, or other entity
16 with whom the person is affiliated, the name of the person who
17 released the cremated remains on behalf of the crematory
18 authority, and the name of the decedent. The crematory shall
19 retain a copy of this receipt in its permanent records.

20 (b-5) Upon its release of cremated remains, the crematory
21 authority shall furnish to the person who receives the
22 cremated remains at the crematory the chain of custody
23 documentation.

24 (c) A crematory authority shall maintain at its place of
25 business a permanent record of each cremation that took place
26 at its facility which shall contain the name of the decedent,

1 the date of the cremation, and the final disposition of the
2 cremated remains.

3 (d) The crematory authority shall maintain a record of all
4 cremated remains disposed of by the crematory authority in
5 accordance with subsection (d) of Section 40.

6 (e) Upon completion of the cremation, the crematory
7 authority shall file the burial transit permit as required by
8 the Illinois Vital Records Act and rules adopted under that
9 Act and the Illinois Counties Code, and transmit a photocopy
10 of the burial transit permit along with the cremated remains
11 to whoever receives the cremated remains from the authorizing
12 agent unless the cremated remains are to be interred,
13 entombed, inurned, or placed in a scattering area, in which
14 case the crematory authority shall retain a copy of the burial
15 transit permit and shall send the permit, along with the
16 cremated remains, to the cemetery, which shall file the permit
17 with the designated agency after the interment, entombment,
18 inurnment, or scattering has taken place.

19 (f) All cemeteries shall maintain a record of all cremated
20 remains that are disposed of on their property, provided that
21 the cremated remains were properly transferred to the cemetery
22 and the cemetery issued a receipt acknowledging the transfer
23 of the cremated remains.

24 (Source: P.A. 102-824, eff. 1-1-23.)

1 (Section scheduled to be repealed on January 1, 2029)

2 Sec. 35. Cremation procedures.

3 (a) Human remains shall not be cremated within 24 hours
4 after the time of death, as indicated on the Medical
5 Examiner's/Coroner's Certificate of Death. In any death, the
6 human remains shall not be cremated by the crematory authority
7 until a cremation permit has been received from the coroner or
8 medical examiner of the county in which the death occurred and
9 the crematory authority has received a cremation authorization
10 form, executed by an authorizing agent, in accordance with the
11 provisions of Section 15 of this Act. In no instance, however,
12 shall the lapse of time between the death and the cremation be
13 less than 24 hours, unless (i) it is known the deceased has an
14 infectious or dangerous disease and that the time requirement
15 is waived in writing by the medical examiner or coroner where
16 the death occurred or (ii) because of a religious requirement.

17 (b) Except as set forth in subsection (a) of this Section,
18 a crematory authority shall have the right to schedule the
19 actual cremation to be performed at its own convenience, at
20 any time after the human remains have been delivered to the
21 crematory authority, unless the crematory authority has
22 received specific instructions to the contrary on the
23 cremation authorization form.

24 (c) No crematory authority shall cremate human remains
25 when it has actual knowledge that human remains contain a
26 pacemaker or any other material or implant that may be

1 potentially hazardous to the person performing the cremation.

2 (d) No crematory authority shall refuse to accept human
3 remains for cremation because such human remains are not
4 embalmed.

5 (e) Whenever a crematory authority is unable or
6 unauthorized to cremate human remains immediately upon taking
7 custody of the remains, the crematory authority shall place
8 the human remains in a holding facility in accordance with the
9 crematory authority's rules and regulations. The crematory
10 authority must notify the authorizing agent of the reasons for
11 delay in cremation if a properly authorized cremation is not
12 performed within any time period expressly contemplated in the
13 authorization.

14 (f) A crematory authority shall not accept a casket or
15 alternative container from which there is any evidence of the
16 leakage of body fluids.

17 (g) The casket or the alternative container shall be
18 cremated with the human remains or destroyed, unless the
19 crematory authority has notified the authorizing agent to the
20 contrary on the cremation authorization form and obtained the
21 written consent of the authorizing agent.

22 (h) The simultaneous cremation of the human remains of
23 more than one person within the same cremation chamber,
24 without the prior written consent of the authorizing agent, is
25 prohibited except for common cremation pursuant to Section
26 11.4 of the Hospital Licensing Act. Nothing in this

1 subsection, however, shall prevent the simultaneous cremation
2 within the same cremation chamber of body parts delivered to
3 the crematory authority from multiple sources, or the use of
4 cremation equipment that contains more than one cremation
5 chamber.

6 (i) No unauthorized person shall be permitted in the
7 holding facility or cremation room while any human remains are
8 being held there awaiting cremation, being cremated, or being
9 removed from the cremation chamber.

10 (j) A crematory authority shall not remove any dental
11 gold, body parts, organs, or any item of value prior to or
12 subsequent to a cremation without previously having received
13 specific written authorization from the authorizing agent and
14 written instructions for the delivery of these items to the
15 authorizing agent. Under no circumstances shall a crematory
16 authority profit from making or assisting in any removal of
17 valuables.

18 (k) Upon the completion of each cremation, and insofar as
19 is practicable, all of the recoverable residue of the
20 cremation process shall be removed from the cremation chamber.

21 (l) If all of the recovered cremated remains will not fit
22 within the receptacle that has been selected, the remainder of
23 the cremated remains shall be returned to the authorizing
24 agent or the agent's designee in a separate container. The
25 crematory authority shall not return to an authorizing agent
26 or the agent's designee more or less cremated remains than

1 were removed from the cremation chamber.

2 (m) A crematory authority shall not knowingly represent to
3 an authorizing agent or the agent's designee that a temporary
4 container or urn contains the cremated remains of a specific
5 decedent when it does not.

6 (n) Cremated remains shall be shipped only by a method
7 that has an internal tracing system available and that
8 provides a receipt signed, in either paper or electronic
9 format, by the person accepting delivery.

10 (o) A crematory authority shall maintain an identification
11 system that shall ensure that it shall be able to identify the
12 human remains in its possession throughout all phases of the
13 cremation process.

14 (p) A crematory authority shall not take possession of
15 unembalmed human remains that cannot be cremated within 24
16 hours unless it provides or maintains either of the following
17 capable of maintaining a temperature of less than 40 degrees
18 Fahrenheit: an operable refrigeration unit, with cleanable,
19 noncorrosive interior and exterior finishes, or a suitable
20 cooling room.

21 (q) A crematory authority shall maintain the unique
22 identifier associated with the human remains. The unique
23 identifier shall remain affixed to the deceased until the last
24 feasible moment before cremation.

25 (r) A crematory authority shall maintain the chain of
26 custody documentation that corresponds with the human remains.

1 Upon its release of cremated remains, the crematory authority
2 shall furnish to the person who receives the cremated remains
3 at the crematory the chain of custody documentation.

4 (Source: P.A. 102-824, eff. 1-1-23; 103-253, eff. 6-30-23.)

5 Section 910. The Vital Records Act is amended by changing
6 Sections 1, 18, 20, and 21 as follows:

7 (410 ILCS 535/1) (from Ch. 111 1/2, par. 73-1)

8 Sec. 1. As used in this Act, unless the context otherwise
9 requires:

10 (1) "Vital records" means records of births, deaths, fetal
11 deaths, marriages, dissolution of marriages, and data related
12 thereto.

13 (2) "System of vital records" includes the registration,
14 collection, preservation, amendment, and certification of
15 vital records, and activities related thereto.

16 (3) "Filing" means the presentation of a certificate,
17 report, or other record provided for in this Act, of a birth,
18 death, fetal death, adoption, marriage, or dissolution of
19 marriage, for registration by the Office of Vital Records.

20 (4) "Registration" means the acceptance by the Office of
21 Vital Records and the incorporation in its official records of
22 certificates, reports, or other records provided for in this
23 Act, of births, deaths, fetal deaths, adoptions, marriages, or
24 dissolution of marriages.

1 (5) "Live birth" means the complete expulsion or
2 extraction from its mother of a product of human conception,
3 irrespective of the duration of pregnancy, which after such
4 separation breathes or shows any other evidence of life such
5 as beating of the heart, pulsation of the umbilical cord, or
6 definite movement of voluntary muscles, whether or not the
7 umbilical cord has been cut or the placenta is attached.

8 (6) "Fetal death" means death prior to the complete
9 expulsion or extraction from the uterus of a product of human
10 conception, irrespective of the duration of pregnancy, and
11 which is not due to an abortion as defined in Section 1-10 of
12 the Reproductive Health Act. The death is indicated by the
13 fact that after such separation the fetus does not breathe or
14 show any other evidence of life such as beating of the heart,
15 pulsation of the umbilical cord, or definite movement of
16 voluntary muscles.

17 (7) "Dead body" means a lifeless human body or parts of
18 such body or bones thereof from the state of which it may
19 reasonably be concluded that death has occurred.

20 (8) "Final disposition" means the burial, cremation, or
21 other disposition of a dead human body or fetus or parts
22 thereof.

23 (9) "Physician" means a person licensed to practice
24 medicine in Illinois or any other state.

25 (10) "Institution" means any establishment, public or
26 private, which provides in-patient medical, surgical, or

1 diagnostic care or treatment, or nursing, custodial, or
2 domiciliary care to 2 or more unrelated individuals, or to
3 which persons are committed by law.

4 (11) "Department" means the Department of Public Health of
5 the State of Illinois.

6 (12) "Director" means the Director of the Illinois
7 Department of Public Health.

8 (13) "Licensed health care professional" means a person
9 licensed to practice as a physician, advanced practice
10 registered nurse, or physician assistant in Illinois or any
11 other state.

12 (14) "Licensed mental health professional" means a person
13 who is licensed or registered to provide mental health
14 services by the Department of Financial and Professional
15 Regulation or a board of registration duly authorized to
16 register or grant licenses to persons engaged in the practice
17 of providing mental health services in Illinois or any other
18 state.

19 (15) "Intersex condition" means a condition in which a
20 person is born with a reproductive or sexual anatomy or
21 chromosome pattern that does not fit typical definitions of
22 male or female.

23 (16) "Homeless person" means an individual who meets the
24 definition of "homeless" under Section 103 of the federal
25 McKinney-Vento Homeless Assistance Act (42 U.S.C. 11302) or an
26 individual residing in any of the living situations described

1 in 42 U.S.C. 11434a(2).

2 (17) "Advanced practice registered nurse" means: (i) an
3 advanced practice registered nurse with full practice
4 authority; or (ii) an advanced practice registered nurse with
5 a collaborative agreement with a physician who has delegated
6 the completion of death certificates.

7 (18) "Certifying health care professional" means a
8 physician, physician assistant, or advanced practice
9 registered nurse.

10 (19) "Physician assistant" means a physician assistant who
11 practices in accordance with a written collaborative agreement
12 that includes the completion of death certificates.

13 (20) "Unique identifier" means providing the deceased with
14 individual identification, through tagging, numbering, QR
15 code, or other individualized means, that is affixed to the
16 dead body, the body bag, and any body part, organ, or tissue
17 separated from the deceased to be used in nontransplant organ
18 donation in order to prevent misidentification of human
19 remains as described in the Reestablishing Integrity in Death
20 Care Act.

21 (21) "Chain of custody documentation" means a record that
22 establishes the continuous location and control of a dead
23 body, body parts, or human remains as described in the
24 Reestablishing Integrity in Death Care Act.

25 (Source: P.A. 101-13, eff. 6-12-19; 102-257, eff. 1-1-22;
26 102-844, eff. 1-1-23.)

1 (410 ILCS 535/18) (from Ch. 111 1/2, par. 73-18)

2 Sec. 18. (1) Each death which occurs in this State shall be
3 registered by filing a death certificate with the local
4 registrar of the district in which the death occurred or the
5 body was found, within 7 days after such death (within 5 days
6 if the death occurs prior to January 1, 1989) and prior to
7 cremation or removal of the body from the State, except when
8 death is subject to investigation by the coroner or medical
9 examiner.

10 (a) For the purposes of this Section, if the place of
11 death is unknown, a death certificate shall be filed in
12 the registration district in which a dead body is found,
13 which shall be considered the place of death.

14 (b) When a death occurs on a moving conveyance, the
15 place where the body is first removed from the conveyance
16 shall be considered the place of death and a death
17 certificate shall be filed in the registration district in
18 which such place is located.

19 (c) The funeral director who first assumes custody of
20 a dead body shall be responsible for filing a completed
21 death certificate. He or she shall obtain the personal
22 data from the next of kin or the best qualified person or
23 source available; he or she shall enter on the certificate
24 the name, relationship, and address of the informant; he
25 or she shall enter the date, place, and method of final

1 disposition; he or she shall affix his or her own
2 signature and enter his or her address; and shall present
3 the certificate to the person responsible for completing
4 the medical certification of cause of death. The person
5 responsible for completing the medical certification of
6 cause of death must note the presence of
7 methicillin-resistant staphylococcus aureus, clostridium
8 difficile, or vancomycin-resistant enterococci if it is a
9 contributing factor to or the cause of death. Additional
10 multi-drug resistant organisms (MDROs) may be added to
11 this list by the Department by rule.

12 (1.5) No later than January 1, 2025, the funeral director
13 who first assumes control of the body of a deceased individual
14 whose death occurred in the State shall assign the body with a
15 unique identifier. The unique identifier shall be affixed to
16 the dead body, the body bag, and any body part, organ, or
17 tissue separated from the deceased to be used in nontransplant
18 organ donation. The unique identifier shall remain affixed to
19 the deceased until the last feasible moment before final
20 disposition. The Department of Financial and Professional
21 Regulation shall enforce the unique identifier requirement in
22 its regulation of licensees who care for dead bodies.

23 (1.10) No later than January 1, 2025, the funeral director
24 who first assumes control of the body of a deceased individual
25 whose death occurred in the State shall commence the chain of
26 custody documentation for the dead body. The chain of custody

1 documentation shall follow the dead body from death to the
2 last feasible moment before final disposition, if final
3 disposition is within the State or the human remains are
4 returned to the State. If human remains are returned to the
5 next of kin under other applicable State law, then the chain of
6 custody documentation shall be provided to the deceased's next
7 of kin following final disposition.

8 The chain of custody documentation shall include (i) the
9 deceased's unique identifier; (ii) a list of each death care
10 provider that came in contact with the dead body; (iii) a list
11 of each service performed detailing the provider, location,
12 and date; and (iv) the signature of the individual who
13 executes final disposition.

14 The Department of Financial and Professional Regulation
15 shall enforce the chain of custody requirement on all
16 industries under its jurisdiction that participate in the
17 chain of custody of dead bodies or human remains.

18 (2) The medical certification shall be completed and
19 signed within 48 hours after death by the certifying health
20 care professional who, within 12 months prior to the date of
21 the patient's death, was treating or managing treatment of the
22 patient's illness or condition which resulted in death, except
23 when death is subject to the coroner's or medical examiner's
24 investigation. In the absence of the certifying health care
25 professional or with his or her approval, the medical
26 certificate may be completed and signed by his or her

1 associate physician, advanced practice registered nurse, or
2 physician assistant, the chief medical officer of the
3 institution in which death occurred, or the physician who
4 performed an autopsy upon the decedent.

5 (3) When a death occurs without medical attendance, or
6 when it is otherwise subject to the coroner's or medical
7 examiner's investigation, the coroner or medical examiner
8 shall be responsible for the completion of a coroner's or
9 medical examiner's certificate of death and shall sign the
10 medical certification within 48 hours after death, except as
11 provided by regulation in special problem cases. If the
12 decedent was under the age of 18 years at the time of his or
13 her death, and the death was due to injuries suffered as a
14 result of a motor vehicle backing over a child, or if the death
15 occurred due to the power window of a motor vehicle, the
16 coroner or medical examiner must send a copy of the medical
17 certification, with information documenting that the death was
18 due to a vehicle backing over the child or that the death was
19 caused by a power window of a vehicle, to the Department of
20 Children and Family Services. The Department of Children and
21 Family Services shall (i) collect this information for use by
22 Child Death Review Teams and (ii) compile and maintain this
23 information as part of its Annual Child Death Review Team
24 Report to the General Assembly.

25 (3.5) The medical certification of cause of death shall
26 expressly provide an opportunity for the person completing the

1 certification to indicate that the death was caused in whole
2 or in part by a dementia-related disease, Parkinson's Disease,
3 or Parkinson-Dementia Complex.

4 (4) When the deceased was a veteran of any war of the
5 United States, the funeral director shall prepare a
6 "Certificate of Burial of U. S. War Veteran", as prescribed
7 and furnished by the Illinois Department of Veterans' Affairs,
8 and submit such certificate to the Illinois Department of
9 Veterans' Affairs monthly.

10 (5) When a death is presumed to have occurred in this State
11 but the body cannot be located, a death certificate may be
12 prepared by the State Registrar upon receipt of an order of a
13 court of competent jurisdiction which includes the finding of
14 facts required to complete the death certificate. Such death
15 certificate shall be marked "Presumptive" and shall show on
16 its face the date of the registration and shall identify the
17 court and the date of the judgment.

18 (Source: P.A. 102-257, eff. 1-1-22; 102-844, eff. 1-1-23;
19 103-154, eff. 6-30-23.)

20 (410 ILCS 535/20) (from Ch. 111 1/2, par. 73-20)

21 Sec. 20. Fetal death; place of registration.

22 (1) Each fetal death which occurs in this State after a
23 gestation period of 20 completed weeks (and when the mother
24 elects in writing to arrange for the burial or cremation of the
25 fetus under Section 11.4 of the Hospital Licensing Act) or

1 more shall be registered with the local or subregistrar of the
2 district in which the delivery occurred within 7 days after
3 the delivery and before removal of the fetus from the State,
4 except as provided by regulation in special problem cases.

5 (a) For the purposes of this Section, if the place of
6 fetal death is unknown, a fetal death certificate shall be
7 filed in the registration district in which a dead fetus
8 is found, which shall be considered the place of fetal
9 death.

10 (b) When a fetal death occurs on a moving conveyance,
11 the city, village, township, or road district in which the
12 fetus is first removed from the conveyance shall be
13 considered the place of delivery and a fetal death
14 certificate shall be filed in the registration district in
15 which the place is located.

16 (c) The funeral director or person acting as such who
17 first assumes custody of a fetus shall file the
18 certificate. The personal data shall be obtained from the
19 best qualified person or source available. The name,
20 relationship, and address of the informant shall be
21 entered on the certificate. The date, place, and method of
22 final disposition of the fetus shall be recorded over the
23 personal signature and address of the funeral director
24 responsible for the disposition. The certificate shall be
25 presented to the person responsible for completing the
26 medical certification of the cause of death.

1 (2) The medical certification shall be completed and
2 signed within 24 hours after delivery by the certifying health
3 care professional in attendance at or after delivery, except
4 when investigation is required under Division 3-3 of Article 3
5 of the Counties Code and except as provided by regulation in
6 special problem cases.

7 (3) When a fetal death occurs without medical attendance
8 upon the mother at or after the delivery, or when
9 investigation is required under Division 3-3 of Article 3 of
10 the Counties Code, the coroner shall be responsible for the
11 completion of the fetal death certificate and shall sign the
12 medical certification within 24 hours after the delivery or
13 the finding of the fetus, except as provided by regulation in
14 special problem cases.

15 (4) No later than January 1, 2025, the funeral director
16 who first assumes control of a fetal death that occurred in the
17 State shall assign the body with a unique identifier. The
18 unique identifier shall remain affixed to the deceased until
19 the last feasible moment before final disposition. The
20 Department of Financial and Professional Regulation shall
21 enforce the unique identifier requirement in its regulation of
22 licensees who care for fetal deaths.

23 (5) No later than January 1, 2025, the funeral director
24 who first assumes control of a fetal death that occurred in the
25 State shall commence the chain of custody documentation for
26 the dead body. The chain of custody documentation shall follow

1 the dead body from death to the last feasible moment before
2 final disposition, if final disposition is within the State or
3 the human remains are returned to the State. If human remains
4 are returned to the next of kin under other applicable State
5 law, then the chain of custody documentation shall be provided
6 to the deceased's next of kin following final disposition.

7 The chain of custody documentation shall include (i) the
8 deceased's unique identifier; (ii) a list of each death care
9 provider that came in contact with the dead body; (iii) a list
10 of each service performed detailing the provider, location,
11 and date; and (iv) the signature of the individual who
12 executes final disposition.

13 The Department of Financial and Professional Regulation
14 shall enforce the chain of custody requirement on all
15 industries under its jurisdiction that participate in the
16 chain of custody of dead bodies or human remains.

17 (Source: P.A. 102-257, eff. 1-1-22.)

18 (410 ILCS 535/21) (from Ch. 111 1/2, par. 73-21)

19 Sec. 21. (1) The funeral director or person acting as such
20 who first assumes custody of a dead body or fetus shall make a
21 written report to the registrar of the district in which death
22 occurred or in which the body or fetus was found within 24
23 hours after taking custody of the body or fetus on a form
24 prescribed and furnished by the State Registrar and in
25 accordance with the rules promulgated by the State Registrar.

1 Except as specified in paragraph (2) of this Section, the
2 written report shall serve as a permit to transport, bury, or
3 entomb the body or fetus within this State, provided that the
4 funeral director or person acting as such shall certify that
5 the certifying health care professional who, within 12 months
6 prior to the date of the patient's death, was treating or
7 managing treatment of the patient's illness or condition which
8 resulted in death has been contacted and has affirmatively
9 stated that he or she will sign the medical certificate of
10 death or the fetal death certificate. If a funeral director
11 fails to file written reports under this Section in a timely
12 manner, the local registrar may suspend the funeral director's
13 privilege of filing written reports by mail. In a county with a
14 population greater than 3,000,000, if a funeral director or
15 person acting as such interrs or entombs a dead body without
16 having previously certified that the certifying health care
17 professional who, within 12 months prior to the date of the
18 patient's death, was treating or managing treatment of the
19 patient's illness or condition that resulted in death has been
20 contacted and has affirmatively stated that he or she will
21 sign the medical certificate of death, then that funeral
22 director or person acting as such is responsible for payment
23 of the specific costs incurred by the county medical examiner
24 in disinterring and reinterring or reentombing the dead body.

25 (2) The written report as specified in paragraph (1) of
26 this Section shall not serve as a permit to:

- 1 (a) Remove body or fetus from this State;
- 2 (b) Cremate the body or fetus; or
- 3 (c) Make disposal of any body or fetus in any manner
- 4 when death is subject to the coroner's or medical
- 5 examiner's investigation.

6 (3) In accordance with the provisions of paragraph (2) of

7 this Section the funeral director or person acting as such who

8 first assumes custody of a dead body or fetus shall obtain a

9 permit for disposition of such dead human body prior to final

10 disposition or removal from the State of the body or fetus.

11 Such permit shall be issued by the registrar of the district

12 where death occurred or the body or fetus was found. No such

13 permit shall be issued until a properly completed certificate

14 of death has been filed with the registrar, the deceased is

15 provided with a unique identifier, and chain of custody

16 documentation has been provided. The registrar shall insure

17 the issuance of a permit for disposition within an expedited

18 period of time to accommodate Sunday or holiday burials of

19 decedents whose time of death and religious tenets or beliefs

20 necessitate Sunday or holiday burials.

21 (4) A permit which accompanies a dead body or fetus

22 brought into this State shall be authority for final

23 disposition of the body or fetus in this State, except in

24 municipalities where local ordinance requires the issuance of

25 a local permit prior to disposition.

26 (5) A permit for disposition of a dead human body shall be

1 required prior to disinterment of a dead body or fetus, and
2 when the disinterred body is to be shipped by a common carrier.
3 Such permit shall be issued to a licensed funeral director or
4 person acting as such, upon proper application, by the local
5 registrar of the district in which disinterment is to be made.
6 In the case of disinterment, proper application shall include
7 a statement providing the name and address of any surviving
8 spouse of the deceased, or, if none, any surviving children of
9 the deceased, or if no surviving spouse or children, a parent,
10 brother, or sister of the deceased. The application shall
11 indicate whether the applicant is one of these parties and, if
12 so, whether the applicant is a surviving spouse or a surviving
13 child. Prior to the issuance of a permit for disinterment, the
14 local registrar shall, by certified mail, notify the surviving
15 spouse, unless he or she is the applicant, or if there is no
16 surviving spouse, all surviving children except for the
17 applicant, of the application for the permit. The person or
18 persons notified shall have 30 days from the mailing of the
19 notice to object by obtaining an injunction enjoining the
20 issuance of the permit. After the 30-day period has expired,
21 the local registrar shall issue the permit unless he or she has
22 been enjoined from doing so or there are other statutory
23 grounds for refusal. The notice to the spouse or surviving
24 children shall inform the person or persons being notified of
25 the right to seek an injunction within 30 days.
26 Notwithstanding any other provision of this subsection (5), a

1 court may order issuance of a permit for disinterment without
2 notice or prior to the expiration of the 30-day period where
3 the petition is made by an agency of any governmental unit and
4 good cause is shown for disinterment without notice or for the
5 early order. Nothing in this subsection (5) limits the
6 authority of the City of Chicago to acquire property or
7 otherwise exercise its powers under the O'Hare Modernization
8 Act or requires that City, or any person acting on behalf of
9 that City, to obtain a permit under this subsection (5) when
10 exercising powers under the O'Hare Modernization Act. The
11 Illinois Department of Transportation, and any person acting
12 on its behalf under a public-private agreement entered into in
13 accordance with the Public-Private Agreements for the South
14 Suburban Airport Act, is exempt from this subsection (5),
15 provided that the Illinois Department of Transportation, or
16 any such person, takes reasonable steps to comply with the
17 provisions of this subsection (5) so long as compliance does
18 not interfere with the design, development, operation, or
19 maintenance of the South Suburban Airport or the exercise of
20 their powers under the Public-Private Agreements for the South
21 Suburban Airport Act.

22 (Source: P.A. 102-257, eff. 1-1-22.)

23 Section 997. Severability. The provisions of this Act are
24 severable under Section 1.31 of the Statute on Statutes.

25 Section 999. Effective date. This Act takes effect upon

1 becoming law.