

1 AN ACT concerning the elderly.

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 adding
5 Section 2-6.2 as follows:

6 (755 ILCS 5/2-6.2 new)

7 Sec. 2-6.2. Elder abuse.

8 (a) Persons convicted of financial exploitation, abuse,
9 or neglect of an elderly person shall not receive any
10 property, benefit, or other interest by reason of the death
11 of that elderly person, whether as heir, legatee,
12 beneficiary, survivor, appointee, or in any other capacity
13 and whether the property, benefit, or other interest passes
14 pursuant to any form of title registration, testamentary or
15 nontestamentary instrument, intestacy, renunciation, or any
16 other circumstance. The property, benefit, or other interest
17 shall pass as if the person convicted of the financial
18 exploitation, abuse, or neglect died before the decedent,
19 provided that with respect to joint tenancy property the
20 interest possessed prior to the death by the person convicted
21 of the financial exploitation, abuse, or neglect shall not be
22 diminished by the application of this Section.

23 (b) The holder of any property subject to the provisions
24 of this Section shall not be liable for distributing or
25 releasing the property to the person convicted of financial
26 exploitation, abuse, or neglect of an elderly person if the
27 distribution or release occurs prior to the conviction.

28 (c) If the holder of any property subject to the
29 provisions of this Section knows or has reason to know that a
30 potential beneficiary has been convicted of financial
31 exploitation, abuse, or neglect of an elderly person within

1 the scope of this Section, the holder shall fully cooperate
2 with law enforcement authorities and judicial officers in
3 connection with any investigation of the financial
4 exploitation, abuse, or neglect.

5 (d) As used in this Section, "elderly person" means a
6 person 60 years of age or older.