



Sen. William R. Haine

Filed: 4/20/2010

09600HB6420sam001

LRB096 21048 ASK 40367 a

1 AMENDMENT TO HOUSE BILL 6420

2 AMENDMENT NO. _____. Amend House Bill 6420 by replacing
3 line 24, on page 6, through line 1, on page 7, with the
4 following:

5 "Within the existing scope of the practice of funeral
6 directing or funeral directing and embalming, only a licensed
7 funeral director, a licensed funeral director and embalmer, or
8 a licensed funeral director and embalmer intern under the
9 restrictions provided for in this Code, and not any other
10 person employed or contracted by the licensee, may engage in
11 the following activities at-need: (1) have direct contact with
12 consumers and explain funeral or burial merchandise or services
13 or (2) negotiate, develop, or finalize contracts with
14 consumers. This paragraph shall not be construed or enforced in
15 such a manner as to limit the functions of persons regulated
16 under the Illinois Funeral and Burial Funds Act, the Illinois
17 Pre-Need Cemetery Sales Act, the Cemetery Oversight Act, the
18 Cemetery Care Act, the Cemetery Association Act, the Illinois

1 Insurance Code, or any other related professional regulatory
2 Act."; and

3 by replacing line 24 on page 9, through line 1, on page 10,
4 with the following:

5 "Within the existing scope of the practice of funeral
6 directing or funeral directing and embalming, only a licensed
7 funeral director, a licensed funeral director and embalmer, or
8 a licensed funeral director and embalmer intern under the
9 restrictions provided for in this Code, and not any other
10 person employed or contracted by the licensee, may engage in
11 the following activities at-need: (1) have direct contact with
12 consumers and explain funeral or burial merchandise or services
13 or (2) negotiate, develop, or finalize contracts with
14 consumers. This paragraph shall not be construed or enforced in
15 such a manner as to limit the functions of persons regulated
16 under the Illinois Funeral and Burial Funds Act, the Illinois
17 Pre-Need Cemetery Sales Act, the Cemetery Oversight Act, the
18 Cemetery Care Act, the Cemetery Association Act, the Illinois
19 Insurance Code, or any other related professional regulatory
20 Act."; and

21 on page 40, line 16, after "requirements", by inserting "with
22 the consultation of the Board"; and

23 on page 53, immediately below line 12, by inserting the

1 following:

2 "(e) Nothing in this Section shall be construed or enforced
3 to give a funeral director and embalmer, or his or her
4 designees, authority over the operation of a cemetery or over
5 cemetery employees. Nothing in this Section shall be construed
6 or enforced to impose duties or penalties on cemeteries with
7 respect to the timing of the placement of human remains in
8 their designated grave or the sealing of the above ground
9 depository, crypt, or urn due to patron safety, the allocation
10 of cemetery staffing, liability insurance, a collective
11 bargaining agreement, or other such reasons."