



Executive Committee

Filed: 5/14/2009

09600SB1930ham001

LRB096 11261 AJ0 26424 a

1 AMENDMENT TO SENATE BILL 1930

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 1930, by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Probate Act of 1975 is amended by adding  
5 Section 2-6.7 as follows:

6 (755 ILCS 5/2-6.7 new)

7 Sec. 2-6.7. Long-term care facility owner or employee.

8 (a) For purposes of this Section, the terms  
9 "administrator", "long-term care facility", "immediate  
10 family", "owner", and "resident" shall have the meanings  
11 ascribed to those terms in Article I of the Nursing Home Care  
12 Act.

13 (b) An owner, licensee, administrator, employee, or agent  
14 of a long-term care facility shall not receive upon the death  
15 of a resident of the long-term care facility any property,  
16 benefit, or other interest by reason of the resident's death,

1 whether as legatee, beneficiary, joint tenant, survivor,  
2 appointee or in any other capacity and whether the property,  
3 benefit, or other interest passes pursuant to any form of title  
4 registration, testamentary or nontestamentary instrument,  
5 intestacy, renunciation, or any other circumstance. The  
6 property, benefit, or other interest shall pass as if the  
7 owner, licensee, administrator, employee, or agent of the  
8 long-term care facility died before the decedent, provided that  
9 with respect to joint tenancy property the interest possessed  
10 prior to the resident's death by the owner, licensee,  
11 administrator, employee, or agent of the long-term care  
12 facility shall not be diminished by the application of this  
13 Section.

14 (c) Subsection (b) shall not apply if the decedent was a  
15 part of the immediate family of the owner, licensee,  
16 administrator, employee, or agent of the long-term care  
17 facility in which the decedent was a resident.

18 (d) The holder of any property subject to the provisions of  
19 this Section shall not be liable for distributing or releasing  
20 said property to the owner, licensee, administrator, employee,  
21 or agent of a long-term care facility if such distribution or  
22 release occurs without the holder having knowledge of the  
23 application of this Section to the property."