



Executive Committee

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09600SB1402ham001

LRB096 08920 ASK 32123 a

1 AMENDMENT TO SENATE BILL 1402

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 1402 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Cemetery Care Act is amended by changing  
5 Section 2a as follows:

6 (760 ILCS 100/2a) (from Ch. 21, par. 64.2a)

7 Sec. 2a. Powers and ~~and~~ duties of cemetery authorities;  
8 cemetery property maintained by cemetery care funds.

9 (a) With respect to cemetery property maintained by  
10 cemetery care funds, a cemetery authority shall be responsible  
11 for the performance of:

12 (1) the care and maintenance of the cemetery property  
13 it owns; and

14 (2) the opening and closing of all graves, crypts, or  
15 niches for human remains in any cemetery property it owns.

16 (b) A cemetery authority owning, operating, controlling or

1 managing a privately operated cemetery shall make available for  
2 inspection, and upon reasonable request provide a copy of, its  
3 rules and regulations and its current prices of interment,  
4 inurnment, or entombment rights.

5 (c) A cemetery authority owning, operating, controlling or  
6 managing a privately operated cemetery may, from time to time  
7 as land in its cemetery may be required for burial purposes,  
8 survey and subdivide those lands and make and file in its  
9 office a map thereof delineating the lots or plots, avenues,  
10 paths, alleys, and walks and their respective designations. The  
11 cemetery authority shall open the map to public inspection. The  
12 cemetery authority may make available a copy of the overall map  
13 upon written request and payment of reasonable photocopy fees.  
14 Any unsold lots, plots or parts thereof, in which there are not  
15 human remains, may be resurveyed and altered in shape or size,  
16 and properly designated on such map. Nothing contained in this  
17 subsection, however, shall prevent the cemetery authority from  
18 enlarging an interment right by selling to the owner thereof  
19 the excess space next to such interment right and permitting  
20 interments therein, provided reasonable access to such  
21 interment right and to adjoining interment rights is not  
22 thereby eliminated. The Comptroller may waive any or all of the  
23 requirements of this subsection (c) for good cause shown.

24 (d) A cemetery authority owning, operating, controlling,  
25 or managing a privately operated cemetery shall keep a record  
26 of every interment, entombment, and inurnment in the cemetery.

1 The record shall include the deceased's name, age, and date of  
2 burial, when these particulars can be conveniently obtained,  
3 and the lot, plot, or section where the human remains are  
4 interred, entombed, or inurned. The record shall be open to  
5 public inspection consistent with State and federal law. The  
6 cemetery authority shall make available, consistent with State  
7 and federal law, a true copy of the record upon written request  
8 and payment of reasonable copy costs.

9 (e) A cemetery authority owning, operating, controlling,  
10 or managing a privately operated cemetery shall provide access  
11 to the cemetery under the cemetery authority's reasonable rules  
12 and regulations.

13 (Source: P.A. 92-419, eff. 1-1-02.)".