



Rep. Michael P. McAuliffe

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09800HB4598ham001

LRB098 17386 ZMM 56951 a

1 AMENDMENT TO HOUSE BILL 4598

2 AMENDMENT NO. _____. Amend House Bill 4598 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Cemetery Oversight Act is amended by
5 changing Section 5-20 and by adding Section 20-13 as follows:

6 (225 ILCS 411/5-20)

7 (Section scheduled to be repealed on January 1, 2021)

8 Sec. 5-20. Exemptions.

9 (a) Full exemption. Except as provided in this subsection,
10 this Act does not apply to (1) any cemetery authority operating
11 as a family burying ground or religious burying ground, (2) any
12 cemetery authority that has not engaged in an interment,
13 inurnment, or entombment of human remains within the last 10
14 years, or (3) any cemetery authority that is less than 3 acres.
15 For purposes of determining the applicability of this
16 subsection, the number of interments, inurnments, and

1 entombments shall be aggregated for each calendar year. A
2 cemetery authority claiming a full exemption shall apply for
3 exempt status as provided for in Section 10-20 of this Act. A
4 cemetery authority claiming a full exemption shall be subject
5 to Sections 10-40, 10-55, and 10-60 of this Act. A cemetery
6 authority that performs activities that would disqualify it
7 from a full exemption is required to apply for licensure within
8 one year following the date on which its activities would
9 disqualify it for a full exemption. A cemetery authority that
10 previously qualified for and maintained a full exemption that
11 fails to timely apply for licensure shall be deemed to have
12 engaged in unlicensed practice and shall be subject to
13 discipline in accordance with Article 25 of this Act.

14 (b) Partial exemption. If a cemetery authority does not
15 qualify for a full exemption and (1) engages in 25 or fewer
16 interments, inurnments, or entombments of human remains for
17 each of the preceding 2 calendar years, (2) operates as a
18 public cemetery, or (3) operates as a religious cemetery, then
19 the cemetery authority is partially exempt from this Act but
20 shall be required to comply with Sections 10-23, 10-40, 10-55,
21 10-60, subsections (a), (b), (b-5), (c), (d), and (h) of
22 Section 20-5, Sections 20-6, 20-8, 20-10, 20-12, 20-13, 20-30,
23 20-35, 20-40, 25-3, and 25-120, and Article 35 of this Act.
24 Cemetery authorities claiming a partial exemption shall apply
25 for the partial exemption as provided in Section 10-20 of this
26 Act. A cemetery authority that changes to a status that would

1 disqualify it from a partial exemption is required to apply for
2 licensure within one year following the date on which it
3 changes its status. A cemetery authority that maintains a
4 partial exemption that fails to timely apply for licensure
5 shall be deemed to have engaged in unlicensed practice and
6 shall be subject to discipline in accordance with Article 25 of
7 this Act.

8 (c) Nothing in this Act applies to the City of Chicago in
9 its exercise of its powers under the O'Hare Modernization Act
10 or limits the authority of the City of Chicago to acquire
11 property or otherwise exercise its powers under the O'Hare
12 Modernization Act, or requires the City of Chicago, or any
13 person acting on behalf of the City of Chicago, to comply with
14 the licensing, regulation, investigation, or mediation
15 requirements of this Act in exercising its powers under the
16 O'Hare Modernization Act.

17 (Source: P.A. 96-863, eff. 3-1-10; 97-679, eff. 2-6-12.)

18 (225 ILCS 411/20-13 new)

19 Sec. 20-13. Veterans; headstones and memorial markers. No
20 cemetery authority shall charge a consumer an amount exceeding
21 \$500 for the placement of a headstone or memorial marker that
22 is provided for a United States Veteran by the United States
23 Government pursuant to Section 2306 of Title 38 of the United
24 States Code. For the purposes of this Section, "placement"
25 means the installation of a headstone or memorial marker,

1 including without limitation labor, materials, machinery,
2 tools, and equipment.

3 Section 99. Effective date. This Act takes effect upon
4 becoming law.".