



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

HB5425

Introduced 2/13/2026, by Rep. Mary Beth Canty

SYNOPSIS AS INTRODUCED:

New Act

Creates the Natural Organic Reduction Regulation Act. Provides that any person doing business in this State, or any cemetery, crematory, funeral establishment, corporation, partnership, joint venture, voluntary organization, or any other entity, may erect, maintain, and operate a natural organic reduction facility in the State and provide the necessary appliances and facilities for the natural organic reduction of human remains in accordance with the Act. Provides that an individual or a person, cemetery, crematory, funeral establishment, corporation, partnership, joint venture, voluntary organization, or other entity may reduce human remains only in a natural organic reduction facility operated by a disposition authority licensed for this purpose and only under the limitations provided in the Act. Provides for: grounds for denial or discipline; surrender of a license; license, display, transfer; authorizing agent; authorization for natural organic reduction; performance of natural organic reduction services, training; recordkeeping; natural organic reduction procedures; disposition of reduced human remains; limitation of liability; hazardous implants; penalties; failure to file an annual report; injunctive action, cease and desist order; service of notice; investigations, notice, and hearing; compelling testimony; administrative review, venue, certification of record, and costs; and preneed of natural organic reduction arrangements. Effective June 1, 2026.

LRB104 19398 AAS 32846 b

1 AN ACT concerning regulation.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 1. Short title. This Act may be cited as the
5 Natural Organic Reduction Regulation Act.

6 Section 5. Legislative intent. The practice of natural
7 organic reduction in the State is declared to be a practice
8 affecting the public health, safety, and welfare and subject
9 to regulation and control in the public interest. It is
10 further declared to be a matter of public interest and concern
11 that the preparation, care, and final disposition of a
12 deceased human body be attended with appropriate observance
13 and understanding, having due regard and respect for the
14 reverent care of the human body and for those bereaved and for
15 the overall spiritual dignity of the human. It is further a
16 matter of public interest that the practice of natural organic
17 reduction, as defined in this Act, be done only by qualified
18 persons authorized by this Act. This Act shall be liberally
19 construed to best carry out these subjects and purposes.

20 Section 10. Definitions. As used in this Act:

21 "Address of record" means the designated address recorded
22 by the Comptroller in the applicant's or licensee's

1 application file or license file. The address of record shall
2 be the permanent street address of the natural organic
3 reduction facility.

4 "Alternative container" means a receptacle or
5 biodegradable external wrapping, other than a casket, in which
6 human remains are transported to the natural organic reduction
7 facility. An alternative container shall be: (i) able to be
8 closed in order to provide a complete covering for the human
9 remains; (ii) resistant to leakage or spillage; (iii) rigid
10 enough for handling with ease; and (iv) able to provide
11 protection for the health, safety, and personal integrity of
12 the natural organic reduction facilities personnel.

13 "Authorizing agent" means a person legally entitled to
14 order the natural organic reduction and final disposition of
15 specific human remains.

16 "Body parts" means limbs or other portions of the anatomy
17 that are removed from a person or human remains for medical
18 purposes during treatment, surgery, biopsy, autopsy, or
19 medical research or human bodies or any portion of human
20 bodies that have been donated to science for medical research
21 purposes.

22 "Burial transit permit" means a permit for disposition of
23 a dead human body as required by State law.

24 "Casket" means a container that is designed for the
25 encasement of human remains that is usually constructed of
26 wood, metal, or like material and ornamented and lined with

1 fabric, and may or may not be combustible.

2 "Comptroller" means the Comptroller of the State.

3 "Disposition authority" means the legal entity which is
4 licensed by the Comptroller to operate a natural organic
5 reduction facility and to perform natural organic reductions.

6 "Final disposition" means the burial, cremation, natural
7 organic reduction, or other disposition of human remains or
8 parts of human remains.

9 "Funeral director" means a person known by the title of
10 "funeral director", "funeral director and embalmer", or other
11 similar words or titles and licensed by the State to practice
12 funeral directing or funeral directing and embalming.

13 "Funeral establishment" means a building or separate
14 portion of a building that has a specific street address and
15 location, that is devoted to activities relating to the
16 shelter, care, custody, and preparation of a deceased human
17 body, that may contain facilities for funeral or wake
18 services.

19 "Holding facility" means an area that: (i) is designated
20 for the retention of human remains prior to natural organic
21 reduction; (ii) complies with all applicable public health
22 law; (iii) preserves the health and safety of the natural
23 organic reduction facilities personnel; and (iv) is secure
24 from access by anyone other than authorized persons. A holding
25 facility may be located in the natural organic reduction room,
26 consistent with the refrigeration requirements of this Act.

1 "Human remains" means the body of a deceased person,
2 including any form of body prosthesis that has been
3 permanently attached or implanted in the body.

4 "Integrate into the soil" means the authorized addition
5 and mixing of reduced human remains with existing soil in a
6 defined area within a dedicated cemetery, conservation area,
7 or property where the person who has control over the
8 disposition of the reduced human remains has obtained written
9 permission of the property owner.

10 "Licensee" means an entity licensed under this Act. An
11 entity that holds itself as a licensee or that is accused of
12 unlicensed practice is considered a licensee for purposes of
13 enforcement, investigation, hearings, and the Illinois
14 Administrative Procedure Act.

15 "Natural organic reduction" means the process of
16 transforming a human body into soil using the natural
17 decomposition process, accelerated with the addition of
18 organic materials through the following steps:

19 (1) The body of a deceased person is mixed together
20 with natural materials and air, eventually resulting in
21 the body's reduction to a soil material.

22 (2) Large tanks, containers, or similar vessels hold
23 human remains together with straw, wood chips, or other
24 natural materials until the process is complete. Any such
25 tank, container, or similar vessel shall be stainless
26 steel, leakproof, promote aerobic reduction, and provide

1 for continuous monitoring of the natural organic reduction
2 process.

3 (3) The processing of the remains after removal from
4 the reduction chamber.

5 "Natural organic reduction authorization" means the
6 natural organic reduction form authorizing a natural organic
7 reduction which is signed by the next of kin or authorizing
8 agent. This natural organic reduction form must be a separate
9 document and cannot be a part of another form or document.

10 "Natural organic reduction facility" means the building or
11 portions of a building that houses the natural organic
12 reduction room and the holding facility. The facility shall
13 have a ventilation system that ventilates from the tank,
14 container, or similar vessel to a biofiltration system.

15 "Natural organic reduction room" means the room in which
16 the reduction chambers are located.

17 "Niche" means a compartment or cubicle for the
18 memorialization and permanent placement of an urn containing
19 reduced remains.

20 "Person" means any person, partnership, association,
21 corporation, limited liability company, or other entity, and
22 in the case of any such business organization, its officers,
23 partners, members, or shareholders possessing 25% or more of
24 ownership of the entity.

25 "Processing" means the removal of foreign objects as well
26 as, but not limited to, grinding, crushing, and pulverizing of

1 the remaining teeth and bones for the reduced human remains to
2 be integrated into the soil.

3 "Pulverization" means the reduction of identifiable bone
4 fragments after the completion of the natural organic
5 reduction process to granulated particles by manual or
6 mechanical means.

7 "Reduction chamber" means the enclosed space within which
8 individual human remains are reduced and any other attached,
9 non-enclosed mechanical components that are necessary for the
10 safe and proper functioning of the equipment. A reduction
11 chamber shall meet or exceed the requirements set by the
12 federal Centers for Disease Control and Prevention for the
13 destruction of human pathogens.

14 "Reduced human remains" means the remains of a human body
15 that have been reduced to soil through a process of reduction.
16 "Reduced human remains" does not include foreign materials,
17 pacemakers, or prostheses.

18 "Reduced remains interment container" means a rigid outer
19 container that is subject to a cemetery's rules and
20 regulations.

21 "Scattering area" means an area which may be designated by
22 a cemetery and located on dedicated cemetery property, or an
23 area designated as a scattering area on private land or a
24 privately owned nature preserve where reduced human remains,
25 which have been removed from the reduced human remains
26 interment container, can be mixed with, or placed on top of,

1 the soil or ground cover.

2 "Temporary container" means a receptacle for reduced human
3 remains, usually composed of cardboard, plastic, or similar
4 material, that can be closed in a manner that prevents the
5 leakage or spillage of the reduced human remains and the
6 entrance of foreign material and that is a single container of
7 sufficient size to hold the reduced human remains until an urn
8 is acquired or the reduced human remains are scattered.

9 "Urn" means a receptacle designed to encase a portion of
10 the reduced human remains.

11 Section 15. Powers and duties of the Comptroller. Subject
12 to the provisions of this Act, the Comptroller may exercise
13 any of the following powers and duties:

14 (1) authorize standards to ascertain the
15 qualifications and fitness of applicants for licensing as
16 licensed natural organic reduction authorities and pass
17 upon the qualifications of applicants for licensure;

18 (2) examine and audit a licensed disposition
19 authority's record, a natural organic reduction facility,
20 or any other aspects of the natural organic reduction
21 operations as the Comptroller deems appropriate;

22 (3) investigate any and all unlicensed activity;

23 (4) conduct hearings on proceedings to refuse to issue
24 licenses or to revoke, suspend, place on probation,
25 reprimand, or otherwise discipline licensees and to refuse

1 to issue licenses or to revoke, suspend, place on
2 probation, reprimand, or otherwise discipline licensees;

3 (5) formulate rules required for the administration of
4 this Act; and

5 (6) maintain rosters of the names and addresses of all
6 licensees and all entities whose licenses have been
7 suspended, revoked, or otherwise disciplined. These
8 rosters shall be available upon written request and
9 payment of the required fee.

10 Section 20. Establishment of a natural organic reduction
11 facility and licensing of a disposition authority.

12 (a) Any person doing business in this State, or any
13 cemetery, crematory, funeral establishment, corporation,
14 partnership, joint venture, voluntary organization, or any
15 other entity, may erect, maintain, and operate a natural
16 organic reduction facility in this State and provide the
17 necessary appliances and facilities for the natural organic
18 reduction of human remains in accordance with this Act.

19 (b) A natural organic reduction facility shall be subject
20 to all local, State, and federal health and environmental
21 protection requirements and shall obtain all necessary
22 licenses and permits from the Department of Financial and
23 Professional Regulation, the Department of Public Health, the
24 federal Department of Health and Human Services, and the State
25 and federal Environmental Protection Agencies, or such other

1 appropriate local, State, or federal agencies.

2 (c) A natural organic reduction facility may be
3 constructed on or adjacent to any cemetery or crematory, on or
4 adjacent to any funeral establishment, or at any other
5 location consistent with local zoning regulations.

6 (d) An application for licensure as a disposition
7 authority shall be in writing on forms furnished by the
8 Comptroller. Applications shall be accompanied by a fee of
9 \$100 and shall contain all of the following:

10 (1) the full name and address, both residential and
11 business, of the applicant if the applicant is an
12 individual; the full name and address of every member if
13 the applicant is a partnership; the full name and address
14 of every member of the board of directors if the applicant
15 is an association; and the name and address of every
16 officer, director, and shareholder holding more than 25%
17 of the corporate stock if the applicant is a corporation;

18 (2) the address and location of the natural organic
19 reduction facility;

20 (3) a description of the type of structure, equipment,
21 and technical process to be used in the operation of the
22 natural organic reduction facility; and

23 (4) any further information that the Comptroller
24 reasonably may require.

25 (e) Each disposition authority shall file an annual report
26 with the Comptroller, accompanied with a \$25 fee plus \$5 for

1 each natural organic reduction performed that calendar year,
2 providing (i) an affidavit signed by the owner of the natural
3 organic reduction facility that at the time of the report the
4 natural organic reduction device was in proper operating
5 condition and all annual recommended maintenance by the
6 manufacturer was performed, (ii) the total number of all
7 natural organic reduction performed at the natural organic
8 reduction facility during the past year, (iii) attestation by
9 the licensee that all applicable permits and certifications
10 are valid, (iv) either (A) any changes required in the
11 information provided under subsection (d) or (B) an indication
12 that no changes have occurred, and (v) any other information
13 that the Comptroller may require. The annual report shall be
14 filed by a disposition authority on or before March 15 of each
15 calendar year. If the fiscal year of a disposition authority
16 is not on a calendar year basis, then the disposition
17 authority shall file the report required by this Section
18 within 75 days after the end of its fiscal year. If a
19 disposition authority fails to submit an annual report to the
20 Comptroller within the time specified in this Section, the
21 Comptroller shall impose upon a disposition authority a
22 penalty of \$5 for each and every day the disposition authority
23 remains delinquent in submitting the annual report. The
24 Comptroller may abate all or part of the \$5 daily penalty for
25 good cause shown. The \$25 annual report fee shall be deposited
26 into the Comptroller's Administrative Fund. The \$5 fee for

1 each natural organic reduction performed shall be deposited
2 into the Cemetery Consumer Protection Fund.

3 (f) All records required to be maintained under this Act,
4 including, but not limited to, those relating to the license
5 and annual report of the disposition authority required to be
6 filed under this Section, shall be subject to inspection by
7 the Comptroller upon reasonable notice.

8 (g) The Comptroller may inspect a natural organic
9 reduction facility record at a licensed disposition
10 authority's place of business to review the licensee's
11 compliance with this Act. The Comptroller may charge a fee of
12 \$100 for the inspection to the licensee. The inspection must
13 include verification that:

14 (1) the disposition authority has complied with the
15 recordkeeping requirements of this Act;

16 (2) a natural organic reduction device operator's
17 certification of training and the required continuing
18 education certification is conspicuously displayed at the
19 natural organic reduction facility;

20 (3) the disposition authority is in compliance with
21 local zoning requirements;

22 (4) the disposition authority license issued by the
23 Comptroller is conspicuously displayed at the natural
24 organic reduction facility; and

25 (5) other details as determined by rule.

26 (h) Every license issued under this Act shall be renewed

1 every 5 years for a renewal fee of \$100. The renewal fee shall
2 be deposited into the Comptroller's Administrative Fund. The
3 Comptroller, upon the request of an interested person or on
4 his or her own motion, may issue new licenses to a licensee
5 whose license or licenses have been revoked, if no factor or
6 condition then exists which would have warranted the
7 Comptroller to originally refuse the issuance of such license.

8 Section 25. Grounds for denial or discipline.

9 (a) In this Section, "applicant" means a person who has
10 applied for a license under this Act, including those persons
11 whose names are listed on a license application in Section 20
12 of this Act.

13 (b) The Comptroller may refuse to issue a license, place
14 on probation, reprimand, or take other disciplinary action
15 that the Comptroller may deem appropriate, including imposing
16 fines not to exceed \$5,000 for each violation, with regard to
17 any license under this Act, or may suspend or revoke a license
18 issued under this Act, on any of the following grounds:

19 (1) The applicant or licensee has made any
20 misrepresentation or false statement or concealed any
21 material fact in furnishing information to the
22 Comptroller.

23 (2) The applicant or licensee has been engaged in
24 fraudulent business practices.

25 (3) The applicant or licensee has refused to give

1 information required under this Act to be disclosed to the
2 Comptroller or fails, within 30 days, to provide
3 information in response to a written request made by the
4 Comptroller.

5 (4) Engaging in dishonorable, unethical, or
6 unprofessional conduct of a character likely to deceive,
7 defraud, or harm the public.

8 (5) For any individual listed in the license
9 application as required under Section 20, that individual
10 has conducted or is about to conduct any natural organic
11 reduction business on behalf of the applicant in a
12 fraudulent manner or has been convicted of any felony or
13 misdemeanor an essential element of which is fraud.

14 (6) The applicant or licensee has failed to make the
15 annual report required by this Act or to comply with a
16 final order, decision, or finding of the Comptroller made
17 under this Act.

18 (7) The applicant or licensee, including any member,
19 officer, or director of the applicant or licensee if the
20 applicant or licensee is a firm, partnership, association,
21 or corporation and any shareholder holding more than 25%
22 of the corporate stock of the applicant or licensee, has
23 violated any provision of this Act or any regulation or
24 order made by the Comptroller under this Act.

25 (8) The Comptroller finds any fact or condition
26 existing that, if it had existed at the time of the

1 original application for a license under this Act, would
2 have warranted the Comptroller refusing the issuance of
3 the license.

4 (9) Any violation of this Act or of the rules adopted
5 under this Act.

6 (10) Incompetence.

7 (11) Gross malpractice.

8 (12) Discipline by another state, District of
9 Columbia, territory, or foreign nation, if at least one of
10 the grounds for the discipline is the same or
11 substantially equivalent to those set forth in this
12 Section.

13 (13) Directly or indirectly giving to or receiving
14 from any person, firm, corporation, partnership, or
15 association any fee, commission, rebate, or other form of
16 compensation for professional services not actually or
17 personally rendered.

18 (14) A finding by the Comptroller that the licensee,
19 after having its license placed on probationary status,
20 has violated the terms of probation.

21 (15) Willfully making or filing false records or
22 reports, including, but not limited to, false records
23 filed with State agencies or departments.

24 (16) Gross, willful, or continued overcharging for
25 professional services, including filing false statements
26 for collection of fees for which services are not

1 rendered.

2 (17) Practicing under a false or, except as provided
3 by law, an assumed name.

4 (18) Cheating on or attempting to subvert this Act's
5 licensing application process.

6 Section 30. License revocation or suspension; surrender of
7 license. Upon the revocation or suspension of a license issued
8 under this Act, the licensee must immediately surrender the
9 license to the Comptroller. If the licensee fails to do so, the
10 Comptroller may seize the license.

11 Section 35. Surrender of license; effect on licensee's
12 liability. A licensee may surrender a license issued under
13 this Act by delivering to the Comptroller a written notice
14 stating that the licensee thereby surrenders the license, but
15 such a surrender does not affect the licensee's civil or
16 criminal liability for acts committed before the surrender.

17 Section 40. License; display; transfer; duration.

18 (a) Every license issued under this Act must state the
19 number of the license, the business name and address of the
20 licensee's principal place of business, and the licensee's
21 parent company, if any. The license must be conspicuously
22 posted in the place of business operating under the license.

23 (b) After initial licensure, if any person comes to obtain

1 at least 51% of the ownership over the natural organic
2 reduction facility, then the disposition authority shall apply
3 for a new license in the required time as set out by rule.

4 (c) Every license issued under this Act shall remain in
5 force until it has been surrendered, suspended, or revoked in
6 accordance with this Act. Upon the request of an interested
7 person or on the Comptroller's own motion, the Comptroller may
8 issue a new license to a licensee whose license has been
9 revoked under this Act if no factor or condition then exists
10 which would have warranted the Comptroller in originally
11 refusing the issuance of the license.

12 Section 45. Authorizing agent. The priority of the person
13 or persons who have the right to serve as the authorizing agent
14 for natural organic reduction is in the same priority as
15 listed in Section 5 of the Disposition of Remains Act.

16 Section 50. Natural organic reduction only in a natural
17 organic reduction facility. An individual or a person,
18 cemetery, crematory, funeral establishment, corporation,
19 partnership, joint venture, voluntary organization, or other
20 entity may reduce human remains only in a natural organic
21 reduction facility operated by a disposition authority
22 licensed for this purpose and only under the limitations
23 provided in this Act.

1 Section 55. Authorization for natural organic reduction.

2 (a) A disposition authority shall not reduce human remains
3 by natural organic reduction until it has received all of the
4 following:

5 (1) a natural organic reduction authorization form
6 signed by the authorizing agent. The natural organic
7 reduction authorization form shall be provided by the
8 disposition authority and shall contain, at a minimum, the
9 following information:

10 (A) the identity of the human remains and the time
11 and date of death;

12 (B) the name of the funeral director and funeral
13 establishment, if applicable, that obtained the
14 natural organic reduction authorization;

15 (C) notification as to whether the death occurred
16 from a disease declared by the Department of Public
17 Health to be infectious, contagious, communicable, or
18 dangerous to the public health, whether the deceased
19 was treated with nuclear medicine, and whether any of
20 the following apply:

21 (i) a prion disease infection, mycobacterium
22 tuberculosis infection, or Ebola virus disease
23 infection;

24 (ii) a contagious disease infection which may
25 be a public health hazard as identified by the
26 local health officer or medical examiner;

1 (iii) a radioactive seed implant within 30
2 days of death until such time that 30 days have
3 elapsed or the organ containing the seed or seeds
4 has been removed;

5 (iv) containing a nuclear pacemaker until such
6 time that the nuclear pacemaker is removed; or

7 (v) perishing as a result of a radiologic
8 incident or accident, unless a written release is
9 provided by the Illinois Emergency Management
10 Agency and Office of Homeland Security or other
11 State or federal agency in charge of the response
12 to the radiological incident or accident.

13 (D) the name of the authorizing agent and the
14 relationship between the authorizing agent and the
15 decedent;

16 (E) a representation that the authorizing agent
17 does in fact have the right to authorize the natural
18 organic reduction of the decedent and that the
19 authorizing agent is not aware of any living person
20 who has a superior priority right to that of the
21 authorizing agent, as set forth in Section 45. In the
22 event there is another living person who has a
23 superior priority right to that of the authorizing
24 agent, the form shall contain a representation that
25 the authorizing agent has made all reasonable efforts
26 to contact that person, has been unable to do so, and

1 has no reason to believe that the person would object
2 to the natural organic reduction of the decedent;

3 (F) authorization for the disposition authority to
4 reduce the human remains by natural organic reduction;

5 (G) a representation that the human remains do not
6 contain any other material or implant that may be
7 potentially hazardous or cause damage to the natural
8 organic reduction chamber or the person performing the
9 natural organic reduction;

10 (H) the name of the person authorized to receive
11 the reduced remains from the disposition authority;

12 (I) the manner in which final disposition of the
13 reduced human remains is to take place, if known. If
14 the reduction authorization form does not specify
15 final disposition in a grave, crypt, niche, or
16 scattering area, then the form may indicate that the
17 reduced human remains will be held by the disposition
18 authority for 30 days before they are released, unless
19 they are picked up from the disposition authority
20 prior to that time, in person, by the authorizing
21 agent with prior consent from the authorizing agent.
22 At the end of the 60 days, the disposition authority
23 may return the reduced human remains to the
24 authorizing agent if no final disposition arrangements
25 are made; or, at the end of 60 days, the disposition
26 authority may dispose of the reduced human remains in

1 accordance with subsection (e) of Section 75;

2 (J) a listing of any items of value to be delivered
3 to the disposition authority along with the human
4 remains and instructions as to how the items should be
5 handled;

6 (K) a specific statement as to whether the
7 authorizing agent has made arrangements for any type
8 of viewing of the decedent before natural organic
9 reduction or for a service with the decedent present
10 before natural organic reduction in connection with
11 the natural organic reduction and, if so, the date and
12 time of the viewing or service and whether the
13 disposition authority is authorized to proceed with
14 the natural organic reduction upon receipt of the
15 human remains;

16 (L) the signature of the authorizing agent,
17 attesting to the accuracy of all representations
18 contained on the natural organic reduction
19 authorization form, except as set forth in paragraph
20 (M) of this subsection;

21 (M) if a natural organic reduction form is being
22 executed on a preneed basis, the natural organic
23 reduction authorization form shall contain the
24 disclosure required by subsection (b) of Section 125;
25 and

26 (N) the natural organic reduction authorization

1 form, other than a preneed natural organic reduction
2 form, shall also be signed by a funeral director or
3 other representative of the disposition authority that
4 obtained the natural organic reduction authorization.
5 That individual shall merely execute the natural
6 organic reduction authorization form and shall not be
7 responsible for any of the representations made by the
8 authorizing agent, unless the individual has actual
9 knowledge to the contrary. The information requested
10 by subparagraphs (A), (B), (C), and (G) of this
11 subsection, however, shall be considered to be
12 representations of the authorizing agent. The funeral
13 director or funeral establishment shall warrant to the
14 natural organic reduction facility that the human
15 remains delivered to the disposition authority are the
16 human remains identified on the natural organic
17 reduction authorization form;

18 (2) a completed and executed burial transit permit
19 indicating that the human remains are to be reduced; and

20 (3) any other documentation required by this State.

21 (b) If an authorizing agent is not available to execute a
22 natural organic reduction authorization form in person, that
23 person may use an electronic signature. The disposition
24 authority, funeral director, and funeral establishment shall
25 be entitled to rely upon the natural organic reduction
26 authorization form without liability.

1 (c) An authorizing agent who signs a natural organic
2 reduction authorization form shall be deemed to warrant the
3 truthfulness of any facts set forth on the natural organic
4 reduction authorization form, including that person's
5 authority to order the natural organic reduction, except for
6 the information required by subparagraphs (C) and (G) of
7 paragraph (1) of subsection (a), unless the authorizing agent
8 has actual knowledge to the contrary. An authorizing agent
9 signing a natural organic reduction authorization form shall
10 be personally and individually liable for all damages
11 occasioned by and resulting from authorizing the natural
12 organic reduction.

13 (d) A disposition authority shall have authority to reduce
14 human remains upon the receipt of a natural organic reduction
15 authorization form signed by an authorizing agent. There shall
16 be no liability for natural organic reduction by a disposition
17 authority according to a natural organic reduction
18 authorization, or the release or disposal of the reduced human
19 remains by a disposition authority according to a natural
20 organic reduction authorization, except for a disposition
21 authority's gross negligence, provided that the disposition
22 authority performs its functions in compliance with this Act.

23 (e) After an authorizing agent has executed a natural
24 organic reduction authorization form and before the natural
25 organic reduction process has started, the authorizing agent
26 may revoke the authorization and instruct the disposition

1 authority to cancel the natural organic reduction and to
2 release or deliver the human remains to another disposition
3 authority or funeral establishment. The instructions shall be
4 provided to the disposition authority in writing. A
5 disposition authority shall honor any instructions given to it
6 by an authorizing agent under this Section if it receives the
7 instructions prior to beginning the reduction of the human
8 remains.

9 Section 60. Performance of natural organic reduction
10 services; training. The handling of the human remains upon
11 arrival at a disposition authority, including placement into
12 the natural organic reduction chamber, and until the reduction
13 inside the chamber is complete shall be under the immediate
14 direct supervision of a licensed funeral director or licensed
15 funeral director and embalmer. Natural organic reduction
16 operators who have received training and received
17 certification by a program recognized by the Comptroller may
18 handle remains after completed reduction, including
19 processing, pulverization, and placement of soil into an urn.
20 The disposition authority must conspicuously display the
21 certification at the disposition authority's place of
22 business. A continuing education natural organic reduction
23 course of at least 2 hours in length from a recognized provider
24 must be completed every 5 years by each person performing a
25 natural organic reduction service. For the purposes of this

1 Act, the Comptroller may recognize any training program that
2 provides training in the operation of a natural organic
3 reduction device, in the maintenance of a clean facility, and
4 in the proper handling of human remains. The Comptroller may
5 recognize any course that is conducted by a death care trade
6 association in the State or the United States for natural
7 organic reduction or by a manufacturer of a natural organic
8 reduction unit that is consistent with the standards provided
9 in this Act or as otherwise determined by rule.

10 Section 65. Recordkeeping.

11 (a) The disposition authority shall furnish to the funeral
12 director who delivers human remains to the disposition
13 authority a receipt signed at the time of delivery by both the
14 disposition authority and the funeral director who delivers
15 the human remains, showing the date and time of the delivery,
16 the type of alternative container or external wrapping that
17 was delivered, the name of the person from whom the human
18 remains were received and the name of the funeral
19 establishment or other entity with whom the person is
20 affiliated, the name of the person who received the human
21 remains on behalf of the disposition authority, and the name
22 of the decedent. The disposition authority shall retain a copy
23 of this receipt in its permanent records.

24 (b) Upon its release of the reduced human remains, the
25 disposition authority shall furnish to the person who receives

1 the reduced human remains from the disposition authority a
2 receipt signed by both the disposition authority and the
3 person who receives the natural organic reduction remains
4 showing the date and time of the release, the name of the
5 person to whom the reduced human remains were released and the
6 name of the funeral establishment, cemetery, or other entity
7 with whom the person is affiliated, the name of the person who
8 released the reduced human remains on behalf of the
9 disposition authority, the name of the decedent, and the
10 estimated volume of reduced human remains. The natural organic
11 reduction facility shall retain a copy of this receipt in its
12 permanent records.

13 (c) A disposition authority shall maintain at its place of
14 business a permanent record of each natural organic reduction
15 that took place at its facility which shall contain the name of
16 the decedent, the date of the natural organic reduction, the
17 estimated volume of the reduced human remains, and the final
18 disposition of the reduced human remains.

19 (d) The disposition authority shall maintain a record of
20 all reduced human remains disposed of by the disposition
21 authority in accordance with subsection (d) of Section 75.

22 (e) Upon completion of the natural organic reduction, the
23 disposition authority shall file the burial transit permit, as
24 required by the Illinois Vital Records Act and rules adopted
25 under that Act and the Illinois Counties Code, and transmit a
26 photocopy of the burial transit permit along with the reduced

1 human remains to whoever receives the reduced human remains
2 from the authorizing agent unless the reduced human remains
3 are to be interred, entombed, inurned, or placed in a
4 scattering area, in which case the disposition authority shall
5 retain a copy of the burial transit permit and shall send the
6 permit, along with the reduced human remains, to the cemetery,
7 which shall file the permit with the designated agency after
8 the interment, entombment, inurnment, or scattering has taken
9 place.

10 (f) All cemeteries shall maintain a record of all reduced
11 human remains that are disposed of on their property, provided
12 that the reduced human remains were properly transferred to
13 the cemetery and the cemetery issued a receipt acknowledging
14 the transfer of the reduced human remains.

15 Section 70. Natural organic reduction procedures.

16 (a) Human remains shall not be reduced within 24 hours
17 after the time of death, as indicated on the Medical
18 Examiner's or Coroner's Certificate of Death. In any death,
19 the human remains shall not be reduced by the disposition
20 authority until a natural organic reduction permit has been
21 received from the coroner or medical examiner of the county in
22 which the death occurred and the disposition authority has
23 received a natural organic reduction authorization form,
24 executed by an authorizing agent, in accordance with the
25 provisions of Section 60 of this Act. In no instance, however,

1 shall the lapse of time between the death and the natural
2 organic reduction be less than 24 hours, unless the lapse of
3 time is because of a religious requirement.

4 (b) Except as set forth in subsection (a), a disposition
5 authority shall have the right to schedule the natural organic
6 reduction to be performed at its own convenience, at any time
7 after the human remains have been delivered to the disposition
8 authority, unless the disposition authority has received
9 specific instructions to the contrary on the natural organic
10 reduction authorization form.

11 (c) No disposition authority shall reduce human remains
12 when it has actual knowledge that human remains contain
13 materials or implants that may be potentially hazardous to the
14 person performing the natural organic reduction.

15 (d) No disposition authority shall accept embalmed remains
16 or remains that were treated with nuclear medicine for natural
17 organic reduction. No disposition authority should reduce
18 human remains if the human remains are confirmed to have or
19 suspected of having one or more of the following conditions:

20 (1) a prion disease infection, mycobacterium
21 tuberculosis infection, or Ebola virus disease infection;

22 (2) a contagious disease infection which may be a
23 public health hazard as identified by the Department of
24 Public Health, local health officer, or medical examiner;

25 (3) a radioactive seed implant within 30 days of death
26 until such time that 30 days have elapsed or the organ

1 containing the seed or seeds has been removed;

2 (4) containing a nuclear pacemaker until such time
3 that the nuclear pacemaker is removed;

4 (5) perishing as a result of a radiologic incident or
5 accident, unless a written release is provided by the
6 Illinois Emergency Management Agency and Office of
7 Homeland Security or other State or federal agency in
8 charge of the response to the radiological incident or
9 accident; or

10 (6) embalmed.

11 (e) Whenever a disposition authority is unable or
12 unauthorized to reduce human remains immediately upon taking
13 custody of the remains, the disposition authority shall place
14 the human remains in an operable refrigeration unit with
15 cleanable, noncorrosive interior and exterior finishes. The
16 unit must be capable of maintaining a temperature of less than
17 40 degrees Fahrenheit or below and of holding at least 3
18 bodies. The disposition authority must notify the authorizing
19 agent of the reasons for delay in the natural organic
20 reduction if a properly authorized natural organic reduction
21 is not performed within any time period expressly contemplated
22 in the authorization.

23 For purposes of this Section, "immediately upon taking
24 custody" means within 24 hours of taking custody.

25 (f) A disposition authority shall not accept an
26 alternative container or external wrapping from which there is

1 any evidence of the leakage of body fluids.

2 (g) A disposition authority shall not reduce the remains
3 of more than one person at the same time and in the same
4 reduction chamber or introduce the remains of a second person
5 into the reduction chamber until the reduction of preceding
6 remains has been terminated and reasonable efforts have been
7 employed to remove all fragments of preceding remains. The
8 fact that there is residue in the reduction chamber or other
9 equipment or a container used in a prior reduction does not
10 violate this Section.

11 (h) No unauthorized person shall be permitted in the
12 holding facility or natural organic reduction room while any
13 human remains are being held there awaiting natural organic
14 reduction, being reduced, or being removed from the reduction
15 chamber.

16 (i) A disposition authority shall not remove any dental
17 gold, body parts, organs, or any item of value prior to or
18 subsequent to a natural organic reduction without previously
19 having received specific written authorization from the
20 authorizing agent and written instructions for the delivery of
21 these items to the authorizing agent. Under no circumstances
22 shall a disposition authority profit from removing or
23 assisting in any removal of valuables.

24 (j) In instances when the remains of deceased human beings
25 are to be delivered to a natural organic reduction facility in
26 a casket that is not to be organically reduced with the

1 deceased, timely disclosure thereof must be made by the person
2 making the funeral arrangements to the natural organic
3 reduction facility that prior to the natural organic reduction
4 the remains of the deceased human being shall be transferred
5 to an alternative container. Such signed acknowledgment of the
6 authorizing person that the timely disclosure has been made
7 shall be retained by the natural organic reduction facility in
8 its permanent records.

9 (k) A disposition authority shall:

10 (1) ensure that the material in the natural organic
11 reduction chamber naturally reaches and maintains a
12 minimum temperature of 131 degrees Fahrenheit for a
13 minimum of 72 consecutive hours during the process of
14 natural organic reduction;

15 (2) analyze each instance of the reduced human remains
16 for physical contaminants, including, but not limited to,
17 intact bone, dental fillings, and medical implants, and
18 ensure reduced human remains have less than 0.01 mg/kg dry
19 weight of any physical contaminants;

20 (3) collect material samples for analysis that are
21 representative of each instance of natural organic
22 reduction, using a sampling method such as those described
23 in the U.S. Composting Council 2002 Test Methods for the
24 Examination of Composting and Compost, method 02.01-A
25 through E;

26 (4) develop and use a natural organic reduction

1 process in which the reduced human remains from the
2 process do not exceed the following limits:

3

4 Metals and other testing	Limit (mg/kg dry weight),
5 parameters	unless otherwise specified
6 Fecal coliform	Less than 1,000 Most Probable
7	Number per gram of total solids
	(dry weight)
8 Salmonella	Less than 3 Most Probable
9	Number per 4 grams of total
	solids (dry weight)
10 Arsenic	Less than or equal to 11 ppm
11 Cadmium	Less than or equal to 7.1 ppm
12 Lead	Less than or equal to 150 ppm
13 Mercury	Less than or equal to 5 ppm
14 Selenium	Less than or equal to 18 ppm;

15 (5) analyze, using a third-party laboratory accredited
16 by the Illinois Environmental Laboratory Accreditation
17 Program or the Department of Public Health, or an STA
18 Compost-Certified Laboratory, the natural organic
19 reduction facility's material samples of reduced human
20 remains according to the following schedule:

21 (A) the natural organic reduction facility must
22 analyze each of the first 20 instances of reduced

1 human remains for the parameters in paragraph (4) of
2 this subsection (k);

3 (B) if any of the first 20 instances of reduced
4 human remains yield results exceeding the limits in
5 paragraph (4) of this subsection (k), the natural
6 organic reduction facility must conduct appropriate
7 processes to correct the levels of the substances in
8 paragraph (4) and have the resultant remains tested to
9 ensure they fall within the identified limits;

10 (C) if any of the first 20 instances of reduced
11 human remains yield results exceeding the limits in
12 paragraph (4) of this subsection (k), the natural
13 organic reduction facility must analyze each
14 additional instance of reduced human remains for the
15 parameters in paragraph (4) until a total of 20
16 samples, not including those from remains that were
17 reprocessed as required in subparagraph (B) of this
18 paragraph (5), have yielded results within the limits
19 in paragraph (4) on initial testing;

20 (D) after 20 material samples of reduced human
21 remains have met the limits in paragraph (4) of this
22 subsection (k), the natural organic reduction facility
23 must analyze at least 25% of the natural organic
24 reduction facility's monthly instances of reduced
25 human remains for the parameters in paragraph (4)
26 until 80 total material samples of reduced remains are

1 found to meet the limits in paragraph (4), not
2 including any samples that required reprocessing to
3 meet those limits; and

4 (E) after 80 material samples of reduced human
5 remains are found to meet the limits in paragraph (4)
6 of this subsection (k), the natural organic reduction
7 facility must analyze at least one randomly chosen
8 instance of reduced human remains each month for the
9 parameters in paragraph (4). If fecal coliform or
10 salmonella in the tested reduced human remains exceeds
11 the limit for that substance in paragraph (4), the
12 natural organic reduction facility must analyze each
13 subsequent instance of reduced human remains for fecal
14 coliform or salmonella until 10 total material samples
15 are found to meet the limits for those substances in
16 paragraph (4) on initial testing, demonstrating the
17 natural organic reduction process was effectively
18 corrected;

19 (6) comply with any testing requirements established
20 by the Comptroller, Department of Public Health, or local
21 health department for content parameters in addition to
22 those specified in paragraph (4) of this subsection (k);

23 (7) not release any reduced human remains that exceed
24 the limits in paragraph (4) of this subsection (k); and

25 (8) prepare, maintain, and provide to the Comptroller
26 a report for each calendar year detailing the natural

1 organic reduction facility's activities during the
2 previous calendar year. The report must include the
3 following information:

4 (A) the name and address of the natural organic
5 reduction facility;

6 (B) the calendar year covered by the report;

7 (C) the annual quantity of reduced human remains;

8 (D) the results of any laboratory analyses of
9 reduced human remains, including an affirmation that
10 the analysis was prepared in accordance with this
11 subsection (k); and

12 (E) any additional information required by the
13 Comptroller, Department of Public Health, or local
14 health department.

15 The Department of Public Health may conduct an annual
16 audit of the results of the laboratory analyses of reduced
17 human remains prepared in accordance with paragraph (4) of
18 this subsection (k).

19 (l) Upon the completion of each natural organic reduction,
20 all of the recoverable residue of the reduction process shall
21 be removed from the reduction chamber.

22 (m) If all of the recovered reduced human remains will not
23 fit within the receptacle that has been selected, the
24 remainder of the reduced human remains shall be disposed of in
25 accordance with subsection (i) of Section 55.

26 (n) A disposition authority shall not knowingly represent

1 to an authorizing agent or the agent's designee that a
2 temporary container or urn contains the reduced remains of a
3 specific decedent when it does not.

4 (o) Reduced human remains shall be shipped only by a
5 method that has an internal tracing system available and that
6 provides a receipt signed by the person accepting delivery.

7 (p) A disposition authority shall maintain an
8 identification system that shall ensure that it shall be able
9 to identify the human remains in its possession throughout all
10 phases of the natural organic reduction process.

11 (q) A disposition authority shall not reduce via natural
12 organic reduction the remains required to be labeled as an
13 infection hazard under 77 Ill. Adm. Code 690.1200(k).

14 (r) In the case of an event where the health of the public
15 may be at risk or there are signs at a facility of a potential
16 health hazard, the Department of Public Health may be
17 consulted to assess the natural organic reduction facility's
18 compliance with this Act.

19 Section 75. Disposition of reduced human remains.

20 (a) The authorizing agent shall be responsible for the
21 final disposition of the reduced human remains delivered to
22 the authorizing agent. The reduced human remains delivered to
23 the authorizing agent may be disposed of by placing them in a
24 grave, crypt, or niche or by scattering them in a scattering
25 area.

1 (b) Reduced human remains delivered to the authorizing
2 agent may be integrated into the soil in an area where no local
3 prohibition exists if the reduced human remains are not
4 distinguishable to the public, are not in a container, and
5 that the person who has control over disposition of the
6 reduced human remains has obtained written permission of the
7 property owner or governing agency to integrate into soil on
8 the property.

9 (c) A State or local agency may adopt an ordinance,
10 regulation, or policy, as appropriate, authorizing or
11 specifically prohibiting the integration of reduced human
12 remains into the soil on lands under the agency's
13 jurisdiction. The integration into the soil of the reduced
14 human remains of more than one person in one location pursuant
15 to this Section does not create a cemetery.

16 (d) Upon the completion of the natural organic reduction
17 process, and except as provided for in subparagraph (I) of
18 paragraph (1) of subsection (a) of Section 55, if the
19 disposition authority has not been instructed to arrange for
20 the interment, entombment, inurnment, or scattering of the
21 reduced human remains, the disposition authority shall deliver
22 the reduced human remains to the individual specified on the
23 natural organic reduction authorization form or, if no
24 individual is specified, then to the authorizing agent. Upon
25 receipt of the reduced human remains, the individual receiving
26 them may transport them in any manner in this State without a

1 permit and may dispose of them in accordance with this
2 Section. After delivery, the disposition authority shall be
3 discharged from any legal obligation or liability concerning
4 the reduced human remains.

5 (e) If, after a period of 60 days from the date the natural
6 organic reduction process is complete, the authorizing agent
7 or the agent's designee has not instructed the disposition
8 authority to arrange for the final disposition of the reduced
9 human remains, claimed the reduced human remains, or claimed
10 only a portion of the reduced human remains, the disposition
11 authority may dispose of the reduced human remains in a
12 cemetery or on conservation land, which is land that is
13 protected and cannot be built on and that is only used for the
14 conservation of nature. The disposition authority, however,
15 shall keep a permanent record identifying the site of final
16 disposition and the estimated volume of human remains. The
17 authorizing agent shall be responsible for reimbursing the
18 disposition authority for all reasonable expenses incurred in
19 disposing of the reduced human remains. Upon disposing of the
20 reduced human remains, the disposition authority shall be
21 discharged from any legal obligation or liability concerning
22 the reduced human remains. Any person who was in possession of
23 reduced remains prior to the effective date of this Act may
24 dispose of them in accordance with this Section.

25 (f) Except with the express written permission of the
26 authorizing agent, no person shall:

1 (1) dispose of reduced human remains in a manner or in
2 a location so that the reduced human remains are
3 commingled with those of another person; this prohibition
4 shall not apply to the scattering of reduced remains in an
5 area located in a dedicated cemetery or conservation land,
6 which is land that is protected, cannot be built on, and is
7 only used for the conservation of nature; or

8 (2) place reduced human remains of more than one
9 person in the same temporary container or urn.

10 (g) No person shall sell the soil resulting from reduced
11 human remains for commercial purposes.

12 (h) No person shall use the soil resulting from reduced
13 human remains to grow food for human or livestock consumption.

14 Section 80. Limitation of liability.

15 (a) A disposition authority that has received an executed
16 natural organic reduction authorization form that complies
17 with paragraph (1) of subsection (a) of Section 55 and has
18 received any additional documentation required by Section 55
19 shall not be liable for reducing the human remains designated
20 by the natural organic reduction authorization form if the
21 natural organic reduction is performed in accordance with this
22 Act.

23 (b) A disposition authority shall not be liable for
24 refusing to accept human remains or to perform a natural
25 organic reduction until it receives a court order or other

1 suitable confirmation that a dispute has been settled, if:

2 (1) it is aware of any dispute concerning the natural
3 organic reduction of the human remains;

4 (2) it has a reasonable basis for questioning any of
5 the representations made by the authorizing agent; or

6 (3) it refuses to accept the human remains for any
7 other lawful reason. This provision shall not be construed
8 as placing any affirmative obligation, not otherwise
9 required by law, on any disposition authority to accept
10 any human remains for natural organic reduction.

11 (c) No cemetery shall be liable for any reduced human
12 remains that are dumped, scattered, or otherwise deposited on
13 the cemetery in violation of this Act, if that action is taken
14 without the cemetery's consent.

15 (d) If a disposition authority is aware of any dispute
16 concerning the release or disposition of the reduced human
17 remains, the disposition authority may refuse to release the
18 reduced human remains until the dispute has been resolved or
19 the disposition authority has been provided with a court order
20 directing the release or disposition of the reduced human
21 remains. A disposition authority shall not be liable for
22 refusing to release or dispose of reduced human remains in
23 accordance with this Section.

24 (e) A disposition authority shall not be responsible or
25 liable for any valuables delivered to the disposition
26 authority with human remains, unless the disposition authority

1 has received written instructions in accordance with
2 subparagraph (J) of paragraph (1) of subsection (a) of Section
3 55.

4 Section 85. Hazardous implants. If an authorizing agent
5 informs the funeral director and the disposition authority on
6 the natural organic reduction authorization form of the
7 presence of hazardous implants in the human remains, then the
8 funeral director shall be responsible for ensuring that all
9 necessary steps have been taken to remove the hazardous
10 implants before delivering the human remains to the natural
11 organic reduction facility for natural organic reduction. If
12 the funeral director who delivers the human remains to the
13 natural organic reduction facility fails to ensure that the
14 hazardous implants have been removed from the human remains
15 prior to delivery, and should the human remains be reduced,
16 then the funeral director who delivered the human remains to
17 the natural organic reduction facility and anyone else covered
18 by this Section shall be liable for all resulting damages. The
19 funeral director shall bear no liability for any hazardous
20 implants or materials present in the human remains that were
21 not disclosed by the authorizing agent on the natural organic
22 reduction authorization form.

23 Section 90. Penalties. Violations of this Act shall be
24 punishable as follows:

1 (1) Performing a natural organic reduction without
2 receipt of a natural organic reduction authorization form
3 signed, in either paper or electronic format, by an
4 authorizing agent shall be a Class 4 felony.

5 (2) Signing, in either paper or electronic format, a
6 natural organic reduction authorization form with the
7 actual knowledge that the form contains false or incorrect
8 information shall be a Class 4 felony.

9 (3) A violation of any natural organic reduction
10 procedure set forth in Section 70 shall be a Class 4
11 felony.

12 (4) Holding oneself out to the public as a disposition
13 authority, or the operation of a building or structure
14 within this State as a natural organic reduction facility,
15 without being licensed under this Act shall be a Class A
16 misdemeanor.

17 (5) Performance of natural organic reduction service
18 by a person who has not completed a training program as
19 defined in Section 60 shall be a Class A misdemeanor.

20 (6) Any person who intentionally violates a provision
21 of this Act or a final order of the Comptroller is liable
22 for a civil penalty not to exceed \$5,000 per violation.

23 (7) Any person who knowingly acts without proper legal
24 authority and who willfully and knowingly destroys or
25 damages the remains of a deceased human being or who
26 desecrates human remains is guilty of a Class 3 felony.

1 (8) A violation of any other provision of this Act
2 shall be a Class B misdemeanor.

3 Section 95. Failure to file annual report. Whenever a
4 disposition authority refuses or neglects to file its annual
5 report in violation of Section 20 of this Act or fails to
6 otherwise comply with the requirements of this Act, the
7 Comptroller shall impose a penalty as provided for by rule for
8 each and every day the licensee remains delinquent in
9 submitting the annual report. Such report shall be made under
10 oath and shall be in a form determined by the Comptroller.

11 Section 100. Injunctive action; cease and desist order.

12 (a) If any person violates the provisions of this Act, the
13 Comptroller, in the name of the People of the State, through
14 the Attorney General or the State's Attorney of the county in
15 which the violation is alleged to have occurred, may petition
16 for an order enjoining the violation or for an order enforcing
17 compliance with this Act. Upon the filing of a verified
18 petition, the court with appropriate jurisdiction may issue a
19 temporary restraining order, without notice or bond, and may
20 preliminarily and permanently enjoin the violation. If it is
21 established that the person has violated or is violating the
22 injunction, the court may punish the offender for contempt of
23 court. Proceedings under this Section are in addition to, and
24 not in lieu of, all other remedies and penalties provided by

1 this Act.

2 (b) Whenever, in the opinion of the Comptroller, a person
3 violates any provision of this Act, the Comptroller may issue
4 a rule to show cause why an order to cease and desist should
5 not be entered against that person. The rule shall clearly set
6 forth the grounds relied upon by the Comptroller and shall
7 allow at least 7 days from the date of the rule to file an
8 answer satisfactory to the Comptroller. Failure to answer to
9 the satisfaction of the Comptroller shall cause an order to
10 cease and desist to be issued.

11 Section 105. Service of notice. Service by the Comptroller
12 of any notice requiring a person to file a statement or report
13 under this Act shall be made: (1) personally by delivery of a
14 duly executed copy of the notice to the person to be served or,
15 if that person is not a natural person, in the manner provided
16 in the Civil Practice Article of the Code of Civil Procedure
17 when a complaint is filed; or (2) by mailing by certified mail
18 a duly executed copy of the notice to the person at his or her
19 address of record.

20 Section 110. Investigations; notice and hearing. The
21 Comptroller may at any time investigate the actions of any
22 applicant or of any person, persons, or entity rendering or
23 offering natural organic reduction services or any person or
24 entity holding or claiming to hold a license as a licensed

1 natural organic reduction facility. The Comptroller shall,
2 before revoking, suspending, placing on probation,
3 reprimanding, or taking any other disciplinary action under
4 Section 11 of this Act, at least 30 days before the date set
5 for the hearing: (i) notify the accused in writing of the
6 charges made and the time and place for the hearing on the
7 charges; (ii) direct the accused applicant or licensee to file
8 a written answer to the charges with the Comptroller under
9 oath within 20 days after the service on the accused of the
10 notice; and (iii) inform the accused that, if the accused
11 fails to answer, default will be taken against the accused or
12 that the accused's license may be suspended, revoked, placed
13 on probationary status, or other disciplinary action with
14 regard to the license, including limiting the scope, nature,
15 or extent of the accused's practice, as the Comptroller may
16 consider proper.

17 At the time and place fixed in the notice, the Comptroller
18 shall proceed to hear the charges and the parties, or their
19 counsel, shall be accorded ample opportunity to present any
20 pertinent statements, testimony, evidence, and arguments. The
21 Comptroller shall have the authority to appoint an attorney
22 duly licensed to practice law in the State to serve as the
23 hearing officer in any disciplinary action with regard to a
24 license. The hearing officer shall have full authority to
25 conduct the hearing. The Comptroller may continue the hearing
26 from time to time. If the person, after receiving the notice,

1 fails to file an answer, the person's license may, in the
2 discretion of the Comptroller, be suspended, revoked, placed
3 on probationary status, or the Comptroller may take whatever
4 disciplinary action is considered proper, including limiting
5 the scope, nature, or extent of the person's practice or the
6 imposition of a fine, without a hearing, if the act or acts
7 charged constitute sufficient grounds for that action under
8 this Act. The written notice may be served by personal
9 delivery or by certified mail to the address specified by the
10 accused in the accused's last notification with the
11 Comptroller.

12 Section 115. Compelling testimony. Any circuit court, upon
13 application of the Comptroller or designated hearing officer,
14 may enter an order requiring the attendance of witnesses and
15 their testimony and the production of documents, papers,
16 files, books, and records in connection with any hearing or
17 investigation. The court may compel obedience to its order by
18 proceedings for contempt.

19 Section 120. Administrative review; venue; certification
20 of record; costs.

21 (a) All final administrative decisions, as defined in
22 Section 3-101 of the Code of Civil Procedure, of the
23 Comptroller are subject to judicial review under the
24 Administrative Review Law and its rules.

1 (b) Proceedings for judicial review shall be commenced in
2 the circuit court of the county in which the party applying for
3 review resides, but if the party is not a resident of Illinois,
4 the venue shall be in Sangamon County.

5 (c) The Comptroller shall not be required to certify any
6 record of the court, file an answer in court, or to otherwise
7 appear in any court in a judicial review proceeding unless and
8 until the Comptroller has received from the plaintiff payment
9 of the costs of furnishing and certifying the record, which
10 costs shall be determined by the Comptroller. Failure on the
11 part of the plaintiff to make such payment to the Comptroller
12 is grounds for dismissal of the action.

13 Section 125. Preneed of natural organic reduction
14 arrangements.

15 (a) Any person, or anyone who has legal authority to act on
16 behalf of a person, on a preneed basis, may authorize the
17 person's own natural organic reduction and the final
18 disposition of the person's reduced remains by executing, as
19 the authorizing agent, a natural organic reduction
20 authorization form. A copy of this form shall be provided to
21 the person. Any person shall have the right to transfer or
22 cancel this authorization at any time prior to death by
23 destroying the executed natural organic reduction
24 authorization form and providing written notice to the
25 disposition authority named in the preneed form.

1 (b) Any natural organic authorization form that is being
2 executed by an individual as the individual's own authorizing
3 agent on a preneed basis shall contain the following
4 disclosure, which shall be completed by the authorizing agent:

5 "() I do not wish to allow any of my survivors the option
6 of cancelling my natural organic reduction and selecting
7 alternative arrangements, regardless of whether my survivors
8 deem a change to be appropriate.

9 () I wish to allow only the survivors whom I have
10 designated below the option of cancelling my natural organic
11 reduction and selecting alternative arrangements, if they deem
12 a change to be appropriate."

13 (c) Except as provided in subsection (b) of this Section,
14 at the time of the death of a person who has executed, as the
15 authorizing agent, a natural organic reduction authorization
16 form on a preneed basis, any person in possession of an
17 executed form and any person charged with making arrangements
18 for the final disposition of the decedent who has knowledge of
19 the existence of an executed form shall use the person's best
20 efforts to ensure that the decedent is reduced and that the
21 final disposition of the reduced human remains is in
22 accordance with the instructions contained on the natural
23 organic reduction authorization form. If a disposition
24 authority (i) is in possession of a completed natural organic
25 reduction authorization form that was executed on a preneed
26 basis, (ii) is in possession of the designated human remains,

1 and (iii) has received payment for the natural organic
2 reduction of the human remains and the final disposition of
3 the reduced human remains or is otherwise assured of payment,
4 then the disposition authority shall be required to reduced
5 the human remains and dispose of the reduced human remains
6 according to the instructions contained on the natural organic
7 reduction authorization form and may do so without any
8 liability.

9 (d) Any preneed contract sold by, or preneed arrangements
10 made with, a cemetery, funeral establishment, disposition
11 authority, or any other party that includes a natural organic
12 reduction shall specify the final disposition of the reduced
13 human remains, in accordance with Section 75. If no different
14 or inconsistent instructions are provided to the disposition
15 authority by the authorizing agent at the time of death, the
16 disposition authority shall be authorized to release or
17 dispose of the reduced human remains as indicated in the
18 preneed agreement. Upon compliance with the terms of the
19 preneed agreement, the disposition authority shall be
20 discharged from any legal obligation concerning the reduced
21 human remains. The preneed agreement shall be kept as a
22 permanent record by the disposition authority.

23 (e) This Section shall not apply to any natural organic
24 reduction authorization form or preneed contract executed
25 prior to the effective date of this Act. Any cemetery, funeral
26 establishment, disposition authority, or other party, however,

1 with the written approval of the authorizing agent or person
2 who executed the preneed contract, may designate that the
3 natural organic reduction authorization form or preneed
4 contract is subject to this Act.

5 Section 130. Employment of funeral director by a
6 disposition authority. A disposition authority shall employ or
7 enter into a contract with a funeral director for the purpose
8 of arranging natural organic reduction on an at-need basis
9 with the general public, transporting human remains to the
10 natural organic reduction facility, and processing all
11 necessary paperwork.

12 Section 135. Scope of Act. This Act shall be construed and
13 interpreted as a comprehensive natural organic reduction
14 statute, and the provisions of this Act shall take precedence
15 over any existing laws containing provisions applicable to
16 natural organic reduction but that do not specifically or
17 comprehensively address natural organic reduction.

18 Section 140. Record of proceedings; transcript. The
19 Comptroller, at its expense, shall preserve a record of all
20 proceedings at the formal hearing of any case. Any notice of
21 hearing, complaint, other documents in the nature of
22 pleadings, written motions filed in the proceedings,
23 transcripts of testimony, report of the hearing officer, and

1 orders of the Comptroller shall be in the record of the
2 proceeding. The Comptroller shall furnish a transcript of such
3 record to any person interested in such hearing upon payment
4 of a reasonable fee.

5 Section 145. Subpoenas; depositions; oaths. The
6 Comptroller has the power to subpoena documents, books,
7 records, or other materials and to bring before it any person
8 and to take testimony either orally or by deposition, or both,
9 with the same fees and mileage and in the same manner as
10 prescribed in civil cases in the courts of this State. The
11 Comptroller, the designated hearing officer, or any qualified
12 person the Comptroller may designate has the power to
13 administer oaths to witnesses at any hearing that the
14 Comptroller is authorized to conduct and any other oaths
15 authorized in any Act administered by the Comptroller. Every
16 person having taken an oath or affirmation in any proceeding
17 or matter wherein an oath is required by this Act, who shall
18 swear willfully, corruptly and falsely in a matter material to
19 the issue or point in question, or shall suborn any other
20 person to swear as aforesaid, shall be guilty of perjury or
21 subornation of perjury, as the case may be, and shall be
22 punished as provided by State law relative to perjury and
23 subornation of perjury.

24 Section 150. Findings and recommendations. At the

1 conclusion of the hearing, the hearing officer shall present
2 to the Comptroller a written report of its findings of fact,
3 conclusions of law, and recommendations. The report shall
4 contain a finding whether or not the accused person violated
5 this Act or its rules or failed to comply with the conditions
6 required in this Act or its rules. The hearing officer shall
7 specify the nature of any violation or failure to comply and
8 shall make recommendations to the Comptroller. In making
9 recommendations for any disciplinary actions, the hearing
10 officer may take into consideration all facts and
11 circumstances bearing upon the reasonableness of the conduct
12 of the accused and the potential for future harm to the public,
13 including, but not limited to, previous discipline of the
14 accused by the Comptroller, intent, degree of harm to the
15 public and likelihood of harm in the future, any restitution
16 made by the accused, and whether the incident or incidents
17 contained in the complaint appear to be isolated or represent
18 a continuing pattern of conduct. In making its recommendations
19 for discipline, the hearing officer shall endeavor to ensure
20 that the severity of the discipline recommended is reasonably
21 related to the severity of the violation. The report of
22 findings of fact, conclusions of law, and recommendations of
23 the hearing officer shall be the basis for the Comptroller's
24 order refusing to issue, restore, place on probation, fine,
25 suspend, revoke a license, or otherwise discipline a licensee.
26 If the Comptroller disagrees with the recommendations of the

1 hearing officer, the Comptroller may issue an order in
2 contravention of the hearing officer's recommendations. The
3 finding is not admissible in evidence against the person in a
4 criminal prosecution brought for a violation of this Act, but
5 the hearing and finding are not a bar to a criminal prosecution
6 brought for a violation of this Act.

7 Section 155. Rehearing. At the conclusion of the hearing,
8 a copy of the hearing officer's report shall be served upon the
9 applicant or licensee by the Comptroller, either personally or
10 as provided in this Act. Within 20 days after service, the
11 applicant or licensee may present to the Comptroller a motion
12 in writing for a rehearing, which shall specify the particular
13 grounds for rehearing. The Comptroller may respond to the
14 motion for rehearing within 20 days after its service on the
15 Comptroller. If no motion for rehearing is filed, then upon
16 the expiration of the time specified for filing such a motion,
17 or if a motion for rehearing is denied, then upon denial, the
18 Comptroller may enter an order in accordance with
19 recommendations of the hearing officer except as provided in
20 Section 160.

21 If the applicant or licensee orders from the reporting
22 service and pays for a transcript of the record within the
23 20-day period for filing a motion for rehearing, the 20-day
24 period within which a motion may be filed shall restart upon
25 the delivery of the transcript to the applicant or licensee.

1 Section 160. Comptroller. Whenever the Comptroller
2 believes that substantial justice has not been done in the
3 revocation, suspension, or refusal to issue or restore a
4 license or other discipline of an applicant or licensee, he or
5 she may order a rehearing by the same or other hearing
6 officers.

7 Section 165. Order or certified copy; prima facie proof.
8 An order or certified copy thereof, over the seal of the
9 Comptroller and purporting to be signed by the Comptroller, is
10 prima facie proof that:

11 (1) the signature is the genuine signature of the
12 Comptroller;

13 (2) the Comptroller is duly appointed and qualified;
14 and

15 (3) the hearing officer is qualified to act.

16 Section 170. Civil action and civil penalties. In addition
17 to the other penalties and remedies provided in this Act, the
18 Comptroller may bring a civil action in the county of
19 residence of the licensee or any other person to enjoin any
20 violation or threatened violation of this Act. In addition to
21 any other penalty provided by law, any person who violates
22 this Act shall forfeit and pay a civil penalty to the
23 Comptroller in an amount not to exceed \$5,000 for each

1 violation as determined by the Comptroller. The civil penalty
2 shall be assessed by the Comptroller in accordance with the
3 provisions of this Act.

4 Any civil penalty shall be paid within 60 days after the
5 effective date of the order imposing the civil penalty. The
6 order shall constitute a judgment and may be filed and
7 execution had thereon in the same manner as any judgment from
8 any court of record. All moneys collected under this Section
9 shall be deposited with the Comptroller.

10 Section 175. Consent order. At any point in any
11 investigation or disciplinary proceedings as provided in this
12 Act, both parties may agree to a negotiated consent order. The
13 consent order shall be final upon signature of the
14 Comptroller.

15 Section 180. Illinois Administrative Procedure Act;
16 application. The Illinois Administrative Procedure Act is
17 expressly adopted and incorporated in this Act as if all of the
18 provisions of that Act were included in this Act, except that
19 the provision of paragraph (d) of Section 10-65 of the
20 Illinois Administrative Procedure Act, which provides that at
21 hearings the licensee has the right to show compliance with
22 all lawful requirements for retention or continuation of the
23 license, is specifically excluded. For the purpose of this
24 Act, the notice required under Section 10-25 of the Illinois

1 Administrative Procedure Act is considered sufficient when
2 mailed to the address of record.

3 Section 185. Summary suspension of a license. The
4 Comptroller may summarily suspend a license of a licensed
5 natural organic reduction facility without a hearing and
6 simultaneously commence proceedings for a hearing provided for
7 in this Act if the Comptroller finds that evidence in the
8 Comptroller's possession indicates that the licensee's
9 continued practice would constitute an imminent danger to the
10 public. If the Comptroller summarily suspends the license of a
11 licensed natural organic reduction facility without a hearing,
12 a hearing must be commenced within 30 days after the
13 suspension has occurred and concluded as expeditiously as
14 practical. In the event of a summary suspension, the county
15 coroner or medical examiner responsible for the area where the
16 natural organic reduction facility is located shall make
17 arrangements to dispose of any bodies in the suspended
18 licensee's possession after consulting with the authorizing
19 agents for those bodies.

20 Section 999. Effective date. This Act takes effect June 1,
21 2026.