

# HB3005



## 103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

HB3005

Introduced 2/16/2023, by Rep. Daniel Didech

### SYNOPSIS AS INTRODUCED:

820 ILCS 135/1

from Ch. 21, par. 101

Amends the Burial Rights Act. Provides that contracts between cemetery authorities and cemetery worker's associations prohibiting in any manner dedications of monuments or headstones, family visitations, or visitations to veterans memorials on Sundays or legal holidays shall be deemed to be void as against public policy and wholly unenforceable. Makes conforming changes.

LRB103 27727 SPS 54104 b

A BILL FOR

1 AN ACT concerning employment.

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

4 Section 5. The Burial Rights Act is amended by changing  
5 Section 1 as follows:

6 (820 ILCS 135/1) (from Ch. 21, par. 101)

7 Sec. 1. (a) Every contract, agreement or understanding  
8 between a cemetery authority and a cemetery workers'  
9 association which totally prohibits burials of human remains  
10 or prohibits in any manner dedications of monuments or  
11 headstones, family visitations, or visitations to veterans  
12 memorials on Sundays or legal holidays shall be deemed to be  
13 void as against public policy and wholly unenforceable.

14 (b) Nothing in this Section shall prohibit a cemetery  
15 authority and a cemetery workers' association from entering  
16 into a contract, agreement or understanding which limits  
17 Sunday or holiday burials of human remains to decedents who  
18 were members of religious sects whose tenets or beliefs  
19 require burials within a specified period of time and whose  
20 deaths occurred at such times as to necessitate Sunday or  
21 holiday burials. Such contract, agreement or understanding may  
22 provide that a funeral director notify the cemetery authority  
23 within a reasonable time when a Sunday or holiday burial or

1 dedication of a monument or headstone is necessitated by  
2 reason of the decedent's religious tenets or beliefs.

3 (c) It shall be unlawful for any person to restrain,  
4 prohibit or interfere with the burial of a decedent whose time  
5 of death and religious tenets or beliefs necessitate burial on  
6 a Sunday or legal holiday or prohibit in any manner  
7 dedications of monuments or headstones, family visitations, or  
8 visitations to veterans memorials on a Sunday or legal  
9 holiday.

10 (d) A violation of this Section is a Class A misdemeanor.

11 (e) For the purposes of this Act, "cemetery authority"  
12 shall have the meaning ascribed to it in Section 2 of the  
13 Cemetery Care Act or the Cemetery Oversight Act, whichever is  
14 applicable; and "cemetery workers' association" means an  
15 organization of workers who are employed by cemetery  
16 authorities to perform the task of burying human remains or  
17 transporting remains to cemeteries or other places of  
18 interment, and who join together for collective bargaining  
19 purposes or to negotiate terms and conditions of employment.

20 (Source: P.A. 96-863, eff. 3-1-10.)