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HOUSE RESOLUTION

WHEREAS, The Comptroller has the primary regulatory authority over the Illinois cemetery industry; and

WHEREAS, The Comptroller's Cemetery Care and Burial Trust Department has regulatory oversight over certain for-profit cemeteries that accept consumer funds held in trust and also licenses funeral homes and cemeteries that sell pre-need arrangements in advance of death; and

WHEREAS, The Cemetery Care Act gives the Comptroller statutory authority to conduct investigations of unlawful practices with respect to the operation and maintenance of cemeteries in Illinois; and

WHEREAS, The Cemetery Care Act gives the Comptroller broad statutory authority to revoke a cemetery's license for any violation of the Act, including the care and maintenance of a cemetery and the opening and closing of graves; and

WHEREAS, The Comptroller is under a statutory mandate to examine at least annually every licensee who holds \$250,000 or more in its care funds, and the Comptroller shall have free access to the office and places of business and to such records of all licensees and of all trustees of the care funds of all

1 licensees; and

2 WHEREAS, Providing a proper and respectful burial with
3 reverence and dignity for our loved ones is something every
4 person and family should expect and demand, especially after
5 the horrifying reports of grave desecrations and other unseemly
6 practices at Burr Oak Cemetery in Alsip; and

7 WHEREAS, The public needs assurance that the Comptroller is
8 effectively regulating, providing adequate oversight, and
9 disciplining owners, management, and employees of Illinois
10 cemeteries that are not in compliance with the Illinois
11 Cemetery Protection Act, Illinois Cemetery Care Act, the
12 Illinois Pre-Need Cemetery Sales Act; and other applicable
13 laws; and

14 WHEREAS, Complaints about other cemetery problems and the
15 apparent lack of basic cemetery oversight continue surfacing
16 throughout Illinois; therefore, be it

17 RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE
18 NINETY-SIXTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that
19 the Auditor General is directed to conduct a performance audit
20 of the Comptroller's Cemetery Care and Burial Trust Department;
21 and be it further

1 RESOLVED, That the audit include a review and audit of
2 policies and procedures currently in place to identify control
3 weakness that could have contributed to severe violations
4 committed by the Burr Oak Cemetery and other documented
5 violations that have occurred recently and make
6 recommendations for improvements, including but not limited to
7 the following:

8 (1) The Comptroller's compliance with State law
9 regarding investigation of unlawful practices of Illinois
10 cemeteries' operation and maintenance;

11 (2) The Comptroller's procedures for the evaluation,
12 tracking and timeliness of investigation of allegations
13 and complaints received regarding the operation and
14 maintenance of Illinois cemeteries;

15 (3) The adequacy of audit procedures performed when
16 conducting annual audits and on-site reviews;

17 (4) The adequacy of the required qualifications of the
18 cemetery care audit staff, including a review of field
19 staff, supervisory and management training programs and
20 monitoring of audit staff activities, efficiency and
21 effectiveness;

22 (5) The Comptroller's procedures for determining the
23 need for and nature of any recommended discipline, fines,
24 and license revocation;

25 (6) The Comptroller's procedures for conducting
26 follow-up activities to ensure that violations cited in

1 audits and investigations are implemented and corrective
2 action is taken on a timely basis; and be it further

3 RESOLVED, The Illinois Comptroller and any other entity or
4 person that may have information relevant to this audit should
5 cooperate fully and promptly with the Auditor General's Office
6 in the conduct of this audit; and be it further

7 RESOLVED, That the Auditor General commence this audit as
8 soon as possible and distribute this report upon completion in
9 accordance with Section 3-14 of the Illinois State Auditing
10 Act; and be it further

11 RESOLVED, That a copy of this resolution be delivered to
12 the Auditor General and the Illinois Comptroller.