

# SB2708



## 99TH GENERAL ASSEMBLY

State of Illinois

2015 and 2016

SB2708

Introduced 2/16/2016, by Sen. Christine Radogno

### SYNOPSIS AS INTRODUCED:

755 ILCS 5/6-1

from Ch. 110 1/2, par. 6-1

Amends the Probate Act of 1975. Makes a technical change to a Section concerning probate of wills.

LRB099 16818 HEP 41165 b

A BILL FOR

1 AN ACT concerning civil law.

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

4 Section 5. The Probate Act of 1975 is amended by changing  
5 Section 6-1 as follows:

6 (755 ILCS 5/6-1) (from Ch. 110 1/2, par. 6-1)

7 Sec. 6-1. Duty to file will - altering, destroying or  
8 secreting.)

9 (a) Immediately upon the ~~the~~ death of the testator any  
10 person who has the testator's will in his possession shall file  
11 it with the clerk of the court of the proper county and upon  
12 failure or refusal to do so, the court on its motion or on the  
13 petition of any interested person may issue an attachment and  
14 compel the production of the will, subject to the provisions of  
15 Section 5.15 of the Secretary of State Act.

16 (b) If any person wilfully alters or destroys a will  
17 without the direction of the testator or wilfully secretes it  
18 for the period of 30 days after the death of the testator is  
19 known to him, the person so offending, on conviction thereof,  
20 shall be sentenced as in cases of theft of property classified  
21 as a Class 3 felony by the law in effect at the date of the  
22 offense. The 30-day period does not apply to the Secretary of  
23 State when acting pursuant to Section 5.15 of the Secretary of

1 State Act.

2 (Source: P.A. 96-137, eff. 1-1-10.)