



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

HB5084

Introduced 2/10/2026, by Rep. Natalie A. Manley

SYNOPSIS AS INTRODUCED:

70 ILCS 105/1

from Ch. 21, par. 64.24a

805 ILCS 320/25 new

805 ILCS 320/30 new

Amends the Cemetery Maintenance District Act. Provides that, on January 1, 2027, all cemetery associations in the State shall be incorporated as cemetery maintenance districts subject to the Act. Provides that the initial territory incorporated in a district shall be the land the cemetery association operated as a cemetery on the effective date of the amendatory Act. Amends the Cemetery Association Act to make conforming changes. Repeals the Cemetery Association Act on January 1, 2028. Effective immediately.

LRB104 19309 SPS 32755 b

1 AN ACT concerning business.

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

4 Section 5. The Cemetery Maintenance District Act is
5 amended by changing Section 1 as follows:

6 (70 ILCS 105/1) (from Ch. 21, par. 64.24a)

7 Sec. 1. (a) Any area within the boundaries of a single
8 county may be incorporated as a cemetery maintenance district
9 in the manner following:

10 Fifty or more of the legal voters resident within the
11 limits of such proposed district or a majority thereof if less
12 than 100, may petition the circuit court for the county in
13 which the proposed district is located to cause the question
14 to be submitted to the legal voters of such proposed district,
15 whether such proposed territory shall be organized as a
16 cemetery maintenance district under this Act. Such petition
17 shall be addressed to the court and shall contain a definite
18 description of the boundaries of the territory to be embraced
19 in the proposed district, and the name of such proposed
20 district; provided, that the territory incorporated in any
21 district formed hereunder shall be contiguous and may contain
22 any territory not previously included in any cemetery
23 maintenance district.

1 Upon filing any such petition, in the office of the
2 circuit clerk of the county in which such petition is made, the
3 court shall consider the boundaries of any such proposed
4 cemetery maintenance district whether the same shall be those
5 stated in the petition or otherwise.

6 Notice shall be given by the court of the time and place of
7 a hearing upon the subject of the petition which shall be
8 inserted in one or more daily or weekly papers published
9 within the proposed cemetery maintenance district, or if no
10 daily or weekly newspaper is published within such proposed
11 cemetery maintenance district, then by posting at least 10
12 copies in such proposed district at least 20 days before such
13 meeting in conspicuous places as far separated from each other
14 as consistently possible.

15 At such hearing all persons in such proposed cemetery
16 maintenance district shall have an opportunity to be heard
17 touching the location and boundary of such proposed district
18 and make suggestions regarding the same, and the court, after
19 hearing statements, evidence and suggestions, shall fix and
20 determine the limits and boundaries of such proposed district,
21 and for that purpose and to that extent, may alter and amend
22 such petition. After such determination by the court the same
23 shall be incorporated in an order which shall be filed in the
24 records of the court. Upon the entering of such order the court
25 shall certify the order and the proposition to the proper
26 election officials, who shall submit the proposition to the

1 voters at an election in accordance with the general election
 2 law. In addition to the requirements of the general election
 3 law, notice of the referendum shall include a description of
 4 such proposed district and the name of the proposed district.

5 The proposition shall be in substantially the following
 6 form:

7 -----
 8 Shall.... cemetery YES
 9 maintenance district -----
 10 be incorporated? NO
 11 -----

12 The court shall cause a statement of the results of such
 13 election to be filed in the records of the court. If a majority
 14 of the votes cast upon the question are in favor of the
 15 incorporation of the proposed cemetery maintenance district,
 16 such district shall thenceforth be an organized cemetery
 17 maintenance district under this Act, and the court shall enter
 18 an order accordingly and cause the same to be filed in the
 19 records of the court and shall also cause to be sent to the
 20 county clerk a certified copy of the order organizing such
 21 district.

22 (b) On January 1, 2027, all cemetery associations in this
 23 State shall be incorporated as cemetery maintenance districts
 24 subject to this Act. The initial territory incorporated in a
 25 district created under this subsection shall be the land the
 26 cemetery association operated as a cemetery on the effective

1 date of this amendatory Act of the 104th General Assembly.

2 (Source: P.A. 83-343.)

3 Section 10. The Cemetery Association Act is amended by
4 adding Sections 25 and 30 as follows:

5 (805 ILCS 320/25 new)

6 Sec. 25. Transition to cemetery maintenance districts. As
7 provided in subsection (b) of Section 1 of the Cemetery
8 Maintenance District Act, all cemetery associations in this
9 State shall cease operating as cemetery associations on
10 January 1, 2027.

11 (805 ILCS 320/30 new)

12 Sec. 30. Repeal. This Act is repealed on January 1, 2028.

13 Section 99. Effective date. This Act takes effect upon
14 becoming law.