

**SB1640**



**104TH GENERAL ASSEMBLY**

**State of Illinois**

**2025 and 2026**

**SB1640**

Introduced 2/4/2025, by Sen. Napoleon Harris, III

**SYNOPSIS AS INTRODUCED:**

410 ILCS 535/11  
410 ILCS 535/18

from Ch. 111 1/2, par. 73-11  
from Ch. 111 1/2, par. 73-18

Amends the Vital Records Act. In provisions regarding information required on forms, provides that (i) the decision with respect to burial or cremation shall be made by the authorized person and shall be properly communicated to relevant persons within 7 days after a death, and (ii) the funeral director shall indicate the name of cemetery on the death certificate within 7 days before burial. In provisions regarding death certificates, provides that (i) the administrator of the nursing home, hospital, or hospice facility where the death occurred shall be responsible for creating the death registration file in the electronic reporting system for death registrations, and (ii) signatures may be electronic.

LRB104 08847 BDA 18902 b

**A BILL FOR**

1           AN ACT concerning health.

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

4           Section 5. The Vital Records Act is amended by changing  
5           Sections 11 and 18 as follows:

6           (410 ILCS 535/11) (from Ch. 111 1/2, par. 73-11)

7           Sec. 11. Information required on forms.

8           (a) The form of certificates, reports, and other returns  
9           required by this Act or by regulations adopted under this Act  
10          shall include as a minimum the items recommended by the  
11          federal agency responsible for national vital statistics,  
12          subject to approval of and modification by the Department. All  
13          forms shall be prescribed and furnished by the State Registrar  
14          of Vital Records.

15          (b) On and after the effective date of this amendatory Act  
16          of 1983, all forms used to collect information under this Act  
17          which request information concerning the race or ethnicity of  
18          an individual by providing spaces for the designation of that  
19          individual as "white" or "black", or the semantic equivalent  
20          thereof, shall provide an additional space for a designation  
21          as "Hispanic".

22          (c) Effective November 1, 1990, the social security  
23          numbers of the mother and father shall be collected at the time

1 of the birth of the child. These numbers shall not be recorded  
2 on the certificate of live birth. The numbers may be used only  
3 for those purposes allowed by Federal law.

4 (d) The social security number of a person who has died  
5 shall be entered on the death certificate; however, failure to  
6 enter the social security number of the person who has died on  
7 the death certificate does not invalidate the death  
8 certificate.

9 (e) If the place of disposition of a dead human body or  
10 cremated remains is in a cemetery, the burial permit shall  
11 include the place of disposition. The place of disposition  
12 shall include the lot, block, section, and plot or niche, and  
13 depth, if applicable, where the dead human body or cremated  
14 remains are located. The decision with respect to burial or  
15 cremation shall be made by the authorized person and shall be  
16 properly communicated to relevant persons within 7 days after  
17 a death. The funeral director shall indicate the name of  
18 cemetery on the death certificate within 7 days before burial.  
19 This subsection does not apply to cremated remains scattered  
20 in a cemetery.

21 (f) The death certificate for an individual with a history  
22 of military service may include or may be amended to include  
23 the branch of the military that the deceased individual served  
24 in, the period of time that he or she served in the military,  
25 and whether a military service-related injury contributed to  
26 the cause of death.

1 (Source: P.A. 103-406, eff. 1-1-25.)

2 (410 ILCS 535/18) (from Ch. 111 1/2, par. 73-18)

3 Sec. 18. (1) Each death which occurs in this State shall be  
4 registered by filing a death certificate with the local  
5 registrar of the district in which the death occurred or the  
6 body was found, within 7 days after such death (within 5 days  
7 if the death occurs prior to January 1, 1989) and prior to  
8 cremation or removal of the body from the State, except when  
9 death is subject to investigation by the coroner or medical  
10 examiner. If a death occurs in this State in a county outside  
11 the deceased's county of residence, the local registrar of the  
12 district in which the death certificate was filed shall,  
13 within 7 days of its filing, send a copy of the death  
14 certificate to the local registrar in the district where the  
15 deceased's county of residence is located.

16 (a) For the purposes of this Section, if the place of  
17 death is unknown, a death certificate shall be filed in  
18 the registration district in which a dead body is found,  
19 which shall be considered the place of death.

20 (b) When a death occurs on a moving conveyance, the  
21 place where the body is first removed from the conveyance  
22 shall be considered the place of death and a death  
23 certificate shall be filed in the registration district in  
24 which such place is located.

25 (c) The administrator of the nursing home, hospital,

1       or hospice facility where the death occurred funeral  
2       director who first assumes custody of a dead body shall be  
3       responsible for creating the death registration file in  
4       the system under Section 18.5, and the funeral director  
5       who first assumes custody of a dead body shall be  
6       responsible for filing a completed death certificate. He  
7       or she shall obtain the personal data from the next of kin  
8       or the best qualified person or source available; he or  
9       she shall enter on the certificate the name, relationship,  
10      and address of the informant; he or she shall enter the  
11      date, place, and method of final disposition; he or she  
12      shall affix his or her own signature, which may be  
13      electronic, and enter his or her address; and shall  
14      present the certificate to the person responsible for  
15      completing the medical certification of cause of death.  
16      The person responsible for completing the medical  
17      certification of cause of death must note the presence of  
18      methicillin-resistant staphylococcus aureus, clostridium  
19      difficile, or vancomycin-resistant enterococci if it is a  
20      contributing factor to or the cause of death. Additional  
21      multi-drug resistant organisms (MDROs) may be added to  
22      this list by the Department by rule.

23      (2) The medical certification shall be completed and  
24      signed within 48 hours after death by the certifying health  
25      care professional who, within 12 months prior to the date of  
26      the patient's death, was treating or managing treatment of the

1 patient's illness or condition which resulted in death, except  
2 when death is subject to the coroner's or medical examiner's  
3 investigation. In the absence of the certifying health care  
4 professional or with his or her approval, the medical  
5 certificate may be completed and signed by his or her  
6 associate physician, advanced practice registered nurse, or  
7 physician assistant, the chief medical officer of the  
8 institution in which death occurred, or the physician who  
9 performed an autopsy upon the decedent.

10 (3) When a death occurs without medical attendance, or  
11 when it is otherwise subject to the coroner's or medical  
12 examiner's investigation, the coroner or medical examiner  
13 shall be responsible for the completion of a coroner's or  
14 medical examiner's certificate of death and shall sign the  
15 medical certification within 48 hours after death, except as  
16 provided by regulation in special problem cases. If the  
17 decedent was under the age of 18 years at the time of his or  
18 her death, and the death was due to injuries suffered as a  
19 result of a motor vehicle backing over a child, or if the death  
20 occurred due to the power window of a motor vehicle, the  
21 coroner or medical examiner must send a copy of the medical  
22 certification, with information documenting that the death was  
23 due to a vehicle backing over the child or that the death was  
24 caused by a power window of a vehicle, to the Department of  
25 Children and Family Services. The Department of Children and  
26 Family Services shall (i) collect this information for use by

1 Child Death Review Teams and (ii) compile and maintain this  
2 information as part of its Annual Child Death Review Team  
3 Report to the General Assembly.

4 (3.5) The medical certification of cause of death shall  
5 expressly provide an opportunity for the person completing the  
6 certification to indicate that the death was caused in whole  
7 or in part by a dementia-related disease, Parkinson's Disease,  
8 or Parkinson-Dementia Complex.

9 (4) When the deceased was a veteran of any war of the  
10 United States, the funeral director shall prepare a  
11 "Certificate of Burial of U. S. War Veteran", as prescribed  
12 and furnished by the Illinois Department of Veterans' Affairs,  
13 and submit such certificate to the Illinois Department of  
14 Veterans' Affairs monthly.

15 (5) When a death is presumed to have occurred in this State  
16 but the body cannot be located, a death certificate may be  
17 prepared by the State Registrar upon receipt of an order of a  
18 court of competent jurisdiction which includes the finding of  
19 facts required to complete the death certificate. Such death  
20 certificate shall be marked "Presumptive" and shall show on  
21 its face the date of the registration and shall identify the  
22 court and the date of the judgment.

23 (Source: P.A. 102-257, eff. 1-1-22; 102-844, eff. 1-1-23;  
24 103-154, eff. 6-30-23; 103-741, eff. 8-2-24.)