



Sen. Adriane Johnson

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10200HB4342sam001

LRB102 22472 RJT 38750 a

1 AMENDMENT TO HOUSE BILL 4342

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 4342 by replacing  
3 everything after the enacting clause with the following:

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

1 Sunday or holiday burials of human remains to decedents who  
2 were members of religious sects whose tenets or beliefs  
3 require burials within a specified period of time and whose  
4 deaths occurred at such times as to necessitate Sunday or  
5 holiday burials. Such contract, agreement or understanding may  
6 provide that a funeral director notify the cemetery authority  
7 within a reasonable time when a Sunday or holiday burial or  
8 dedication of a monument or headstone is necessitated by  
9 reason of the decedent's religious tenets or beliefs.

10 (c) It shall be unlawful for any person to restrain,  
11 prohibit or interfere with the burial of a decedent whose time  
12 of death and religious tenets or beliefs necessitate burial on  
13 a Sunday or legal holiday or prohibit in any manner  
14 dedications of monuments or headstones, family visitations, or  
15 visitations to veterans memorials on a Sunday or legal  
16 holiday.

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

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

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