



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

HB2494

Introduced 2/15/2023, by Rep. Michelle Mussman

SYNOPSIS AS INTRODUCED:

210 ILCS 40/5.5 new

Amends the Life Care Facilities Act. Provides that a resident of a facility may, upon 60 days' written notice of the intent to vacate, cancel a life care contract for any reason. Provides that, upon vacating the unit, a resident or the resident's estate cancelling a life care contract shall provide written notice to the owner or manager of the facility that the unit is vacated. Provides that the unit may be restored to the unit's original condition upon the resident vacating. Provides that in the case of a life care contract that provides for a refundable entrance fee, the facility shall assign the vacated unit a sequential refund number among all the available units with refundable entrance fees once the unit is restored but not later than 60 days following receipt of the notice that the unit is vacated after the date that all the conditions for issue a sequential refund number, as provided in the life care contract, are fulfilled.

LRB103 25999 CPF 52353 b

1 AN ACT concerning regulation.

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

4 Section 5. The Life Care Facilities Act is amended by
5 adding Section 5.5 as follows:

6 (210 ILCS 40/5.5 new)

7 Sec. 5.5. Vacating unit; refund of entrance fee.

8 (a) A resident may, upon 60 days' written notice of the
9 intent to vacate, cancel a life care contract for any reason.

10 (b) Upon vacating the unit, a resident or the resident's
11 estate cancelling a life care contract shall provide written
12 notice to the owner or manager of the facility that the unit is
13 vacated. The notice shall declare that all personal property
14 of the resident or the estate of the resident has been removed.

15 (c) After a unit is vacated, the facility may restore the
16 unit to the unit's original condition. The facility may remove
17 any personal property of the prior resident that remains in
18 the unit. The facility may continue to impose monthly fees
19 until the personal property is removed, and the facility may
20 remove any such personal property beginning 21 days after the
21 date upon which the notice of vacancy was received. The
22 facility may continue to impose monthly fees for 24 to 90 days
23 after the date the unit is completely vacated and all personal

1 property of the prior resident has been removed and may
2 additionally continue to impose monthly fees for any period
3 during which the personal property of the prior resident
4 remains in the unit.

5 (d) In the case of a life care contract that provides for a
6 refundable entrance fee, the facility shall assign the vacated
7 unit a sequential refund number among all the available units
8 with refundable entrance fees once the unit is restored
9 pursuant to subsection (c) but not later than 60 days
10 following receipt of the notice that the unit is vacated after
11 the date that all the conditions for issuing a sequential
12 refund number, as provided in the life care contract, are
13 fulfilled.