



## 103RD GENERAL ASSEMBLY

### State of Illinois

2023 and 2024

HB4251

Introduced 1/16/2024, by Rep. Margaret Croke

#### SYNOPSIS AS INTRODUCED:

755 ILCS 6/11-10

Amends the Electronic Nontestamentary Estate Planning Documents Article of the Electronic Wills and Remote Witnesses Act. Provides that the Article does not apply to a nontestamentary estate planning document, will, or terms of a trust if the terms governing the document expressly preclude use of an electronic record or electronic signature (rather than does not apply to a nontestamentary estate planning document, will, or terms of a trust governing the document expressly preclude use of an electronic record or electronic signature).

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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 Electronic Wills and Remote Witnesses Act  
5 is amended by changing Section 11-10 as follows:

6 (755 ILCS 6/11-10)

7 (This Section may contain text from a Public Act with a  
8 delayed effective date)

9 Sec. 11-10. Scope.

10 (a) Except as provided in subsection (b), this Article  
11 applies to an electronic nontestamentary estate planning  
12 document and an electronic signature on a nontestamentary  
13 estate planning document.

14 (b) This Article does not apply to a nontestamentary  
15 estate planning document, will, or terms of a trust if the  
16 terms governing the document expressly preclude use of an  
17 electronic record or electronic signature.

18 (c) This Article does not affect the validity of an  
19 electronic record or electronic signature that is valid under:

20 (1) the Illinois Uniform Electronic Transactions Act;

21 (2) any other Section of this Act; or

22 (3) any other State law relating to nontestamentary  
23 estate planning documents.

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1 (Source: P.A. 103-301, eff. 1-1-24.)