

1 AN ACT concerning the regulation of professions.

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

4 Section 5. The Regulatory Sunset Act is amended by  
5 changing Section 4.13 and adding Section 4.23 as follows:

6 (5 ILCS 80/4.13) (from Ch. 127, par. 1904.13)  
7 Sec. 4.13. Acts repealed on December 31, 2002. The  
8 following Acts are repealed on December 31, 2002:

9 The Environmental Health Practitioner Licensing Act.

10 The Naprapathic Practice Act.

11 The Wholesale Drug Distribution Licensing Act.

12 The Dietetic and Nutrition Services Practice Act.

13 ~~The Funeral Directors and Embalmers Licensing Code.~~

14 The Professional Counselor and Clinical Professional  
15 Counselor Licensing Act.

16 (Source: P.A. 88-45; 89-61, eff. 6-30-95; revised 8-22-01.)

17 (5 ILCS 80/4.23 new)

18 Sec. 4.23. Act repealed on January 1, 2013. The  
19 following Act is repealed on January 1, 2013:

20 The Funeral Directors and Embalmers Licensing Code.

21 Section 10. The Funeral Directors and Embalmers  
22 Licensing Code is amended by changing Section 5-15 as  
23 follows:

24 (225 ILCS 41/5-15)

25 (Section scheduled to be repealed on December 31, 2002)

26 Sec. 5-15. Expiration and renewal; inactive status;  
27 continuing education. The expiration date and renewal period  
28 for each license issued under this Article shall be set by

1 rule. The holder of a license as a licensed funeral director  
2 may renew the license during the month preceding the  
3 expiration date of the license by paying the required fee. A  
4 licensed funeral director whose license has expired may have  
5 the license reinstated within 5 years from the date of  
6 expiration upon payment of the required reinstatement fee.  
7 The reinstatement shall be effective as of the date of  
8 reissuance of the license.

9 Any licensed funeral director whose license has been  
10 expired for more than 5 years may have the license restored  
11 only by fulfilling the requirements of the Department's rules  
12 and by paying the required restoration fee. However, any  
13 licensed funeral director whose license has expired while he  
14 or she has been engaged (1) in federal service on active duty  
15 with the Army of the United States, the United States Navy,  
16 the Marine Corps, the Air Force, the Coast Guard, or the  
17 State Militia called into the service or training of the  
18 United States of America or (2) in training or education  
19 under the supervision of the United States preliminary to  
20 induction into the military service may have his or her  
21 license restored without paying any lapsed renewal fees or  
22 restoration fee or without passing any examination if, within  
23 2 years after termination of the service, training or  
24 education other than by dishonorable discharge, he or she  
25 furnishes the Department with an affidavit to the effect that  
26 he or she has been so engaged and that service, training or  
27 education has been so terminated.

28 In addition to any other requirement for renewal of a  
29 license or reinstatement of an expired license, beginning  
30 with licenses renewed or reinstated in 1993, as a condition  
31 for the renewal or reinstatement of a license as a licensed  
32 funeral director, each licensee shall provide evidence to the  
33 Department of completion of at least 12 hours of continuing  
34 education during the 24 months preceding the expiration date

1 of the license, or in the case of reinstatement, during the  
2 24 months preceding application for reinstatement. The  
3 continuing education sponsors shall be approved by the Board.  
4 In addition, any qualified continuing education course for  
5 funeral directors offered by a college, university, the  
6 Illinois Funeral Directors Association, Funeral Directors  
7 Services Association of Greater Chicago, Cook County  
8 Association of Funeral Home Owners, Inc., Illinois Selected  
9 Morticians Association, Inc., National Funeral Directors  
10 Association, National Foundation of Funeral Service, National  
11 Selected Morticians, National Funeral Directors and  
12 Morticians Association, Inc., International Order of the  
13 Golden Rule, or an Illinois school of mortuary science shall  
14 be accepted toward satisfaction of the continuing education  
15 requirements.

16 The Department shall establish by rule a means for  
17 verification of completion of the continuing education  
18 required by this Section. This verification may be  
19 accomplished through audits of records maintained by  
20 licensees, by requiring the filing of continued education  
21 certificates with the Department or a qualified organization  
22 selected by the Department to maintain these records, or by  
23 other means established by the Department.

24 A person who is licensed as a funeral director under this  
25 Act and who has engaged in the practice of funeral directing  
26 for at least 40 years shall be exempt from the continuing  
27 education requirements of this Section. In addition, the  
28 Department shall establish by rule an exemption or exception  
29 for funeral directors who, by reason of advanced age, health  
30 or other extreme condition should reasonably be excused from  
31 the continuing education requirement upon explanation to the  
32 Board, the approval of the Director, or both. Those persons,  
33 identified above, who cannot attend on-site classes, shall  
34 have the opportunity to comply by completing home study

1 courses designed for them by sponsors.

2 Any funeral director who notifies the Department in  
3 writing on forms prescribed by the Department may elect to  
4 place his or her license on an inactive status and shall be  
5 excused from completion of continuing education requirements  
6 until he or she notifies the Department in writing of an  
7 intent to restore the license to active status. While-on  
8 ~~inactive-status, the licensee shall only be required to pay a~~  
9 ~~single fee, established by the Department, to have his or her~~  
10 ~~license placed on inactive status.~~ Any licensee requesting  
11 restoration from inactive status shall notify the Department  
12 as provided by rule of the Department and pay the fee  
13 required by the Department for restoration of the license.  
14 Any licensee whose license is on inactive status shall not  
15 practice in the State of Illinois.

16 Practice on a license that has lapsed or been placed in  
17 inactive status is practicing without a license and a  
18 violation of this Act.

19 (Source: P.A. 90-50, eff. 1-1-98.)

20 Section 99. Effective date. This Act takes effect upon  
21 becoming law.