

ILHIC Life Issue Key Bills
 END OF SPRING SESSION - 2023

Life	Cemeteries	HB 3102 Andrade (Cervantes)	<p>Defines "average fair market value", "total return percentage", and "net income". Provides that a trustee may apply to the Comptroller to establish a master trust fund in which deposits are made. Allows a cemetery authority to take distributions from its fund either by distributing ordinary income or total return distribution. Requires an application for the implementation of the total return distribution method to be submitted to the Comptroller at least 120 days before the effective date of the election to receive total return distribution. Allows, where no receiver is available, a circuit court to order a willing local municipality, township, county, or city to take over the cemetery. Repeals a provision regarding the use of care funds.</p> <p>HB 3102 (HCA 0001) (TABLED) <i>Replaces everything after the enacting clause with the provisions of the introduced bill, and makes the following changes: Provides that it shall be unlawful for any person to restrain, prohibit, or interfere with the burial of a decedent whose time of death and religious tenets or beliefs necessitate burial on a Sunday or legal holiday or prohibit in any manner, dedications of monuments or headstones, family visitations, or visitations to veterans' memorials on a Sunday or legal holiday. Provides that nothing in such provisions shall require any maintenance staff or burial professionals to be present on the day of such dedications. Adds an effective date of January 1, 2025.</i></p> <p>HB 3102 (HFA 0002) (ADOPTED) Adds an effective date of January 1, 2025.</p>	Monitor No position change/Monitor No position change/Monitor	SENATE Assignments
Life	Preneed Cemetery Sales	HB 3775 Tarver (Hilton)	<p>Provides that the pre-need contract shall provide, if applicable, that if the purchaser does not pay the costs associated with the opening or closing of an undeveloped interment, inurnment, or entombment space, the seller may repossess the undeveloped interment, inurnment, or entombment space.</p> <p>HB 3775 (HFA 0001) (ADOPTED) <i>Replaces everything after the enacting clause. Amends the Cemetery Oversight Act. Provides that any retail installment contract for the purchase of interment, entombment, or inurnment rights shall contain a clearly worded notice in 12-point type, bold, underlined, and capital letters, that that rights to a deeded interest do not vest until final</i></p>	Monitor No position change/Monitor	HOUSE Passed Both Houses

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			<i>payment and that upon an uncured default, including when a contract is rolled into a new open-balance retail installment contract, with additional interment, entombment, or inurnment rights or additional cemetery merchandise or services, there will be no deeded interest.</i>		
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SENATE BILLS					
Life	Public Adjusters	SB 1495 Harris (Jones, T)	<p>Provides that the Director of Insurance, upon finding that an applicant for a public adjuster license was previously convicted of any felony or a misdemeanor involving dishonesty or fraud (rather than a felony or misdemeanor involving dishonesty or fraud), shall consider any mitigating factors and evidence of rehabilitation contained in the applicant's record to determine if a license may be denied. Provides that the Director may place on probation, suspend, revoke, deny, or refuse to issue or renew a public adjuster's license or may levy a civil penalty for having been convicted of any felony or a misdemeanor involving dishonesty or fraud (rather than a felony or misdemeanor involving dishonesty or fraud), and failing to comply with specified provisions concerning associated contractors. Provides that an applicant's surety bond or irrevocable letter of credit shall be in the minimum amount of \$50,000 (rather than \$20,000). Provides that public adjusters shall ensure that all contracts for their services contain an email address and a scope of damages. Sets forth language required to be contained in a written disclosure provided to the insured. Provides that a public adjuster may provide emergency services before a written contract with the insured has been executed. Sets forth provisions concerning associated contractors. Makes other changes.</p> <p>SB 1495 (SCA 0001) (ADOPTED)</p> <p><i>Replaces everything after the enacting clause. Reinserts the provisions of the introduced bill with the following changes. Provides that a public adjuster shall provide the insurer or its authorized representative for receiving notice of loss or damage with an exact copy of the contract with the insured by email within 2 business days after execution of the contract (rather than by email after execution of the contract). Provides that a contract shall be voidable for 5 business days after the copy has been received by the insurer (rather than for 5 business days after execution). In provisions concerning standards of conduct of public adjusters, provides that a public adjuster shall not act in the place and instead of the insured.</i></p>	Monitor	SENATE Passed Both Houses
				No position change/Monitor	

			<p>SB 1495 (SFA 0002) (ADOPTED) <i>Replaces everything after the enacting clause. Reinserts the provisions of the amended bill with the following changes. Further amends the Illinois Insurance Code. Provides that all contracts entered into that are in violation of provisions concerning public adjuster licensure and provisions concerning a contract between a public adjuster and an insured are void and invalid. In provisions concerning public adjuster fees, provides that if the loss giving rise to the claim for which the public adjuster was retained arises from damage to property that is anything but a personal residence, a public adjuster may not charge, agree to, or accept any compensation, payment, commission, fee, or other valuable consideration in excess of 10% of the amount of the insurance settlement claim paid by the insurer on any claim resulting from a catastrophic event, unless approved in writing by the Director of Insurance. Provides that if the loss giving rise to the claim for which the public adjuster was retained arises from damage to a personal residence, a public adjuster may not charge, agree to, or accept any compensation, payment, commissions, fee, or other valuable consideration in excess of 10% of the amount of the insurance settlement claim paid by the insurer on any claim. Provides that a public adjuster shall provide the insurer or its authorized representative for receiving notice of loss or damage with an exact copy of the contract with the insured by email no later than 5 business days after execution of the contract (rather than by email after execution of the contract). Removes language providing that a public adjuster shall not act in the place and instead of the insured. Removes provisions concerning associated contractors, scope of damages, and written disclosures. Makes other changes.</i></p>	No position change/Monitor	
Life	Disability Income Parity	<p>SB 1568 Morrison (Morgan)</p>	<p>Provides that every insurer that amends, delivers, issues, or renews a group or individual policy or certificate of disability insurance or disability income insurance shall ensure parity for the payment of mental, emotional, nervous, or substance use disorders or conditions. Changes the definition of "treatment limitation" to include benefit payments under disability insurance or disability income insurance.</p>	Oppose	SENATE Passed Both Houses

		<p>SB 1568 (SCA 0001) (ADOPTED) <i>Replaces everything after the enacting clause. Amends the Illinois Insurance Code. Provides that the Department of Insurance shall collect specified information regarding disability employment insurance plans and the Department shall present its findings to the General Assembly no later than April 30, 2024. Effective immediately.</i></p> <p>SB 1568 (SFA 0002) (ADOPTED) <i>Replaces everything after the enacting clause. Amends the Illinois Insurance Code. Provides that the Department of Insurance shall collect specified information concerning disability insurance plans and limitations on mental health and substance use disorder benefits. Provides that the Department shall present its findings regarding information collected under the provisions to the General Assembly no later than April 30, 2024. Provides that information regarding a specific insurance provider's contributions to the Department's report is exempt from disclosure under a specified provision of the Freedom of Information Act.</i></p>	<p>Neutral with Amendment #1`</p> <p>No position change/Neutral</p>	
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