**Section 610.10 Statutory Authority**

a) *Form and Review of Pre-Need Contracts.*

1) *All pre-need contracts must be in writing. Any use or attempted use of any oral pre-need contract or any written pre-need contract in a form* *that does not meet the requirements of* the Illinois Funeral or Burial Funds Act [225 ILCS 45] *shall be deemed a violation of* the *Act.* [225 ILCS 45/1a-1(d)]

2) *No* *pre-need contract shall be sold in this State unless the seller distributes to the purchaser, prior to* *the sale, a booklet promulgated or approved for use by the State Comptroller; the seller explains to the purchaser the terms of the pre-need contract prior to the purchaser signing; and the purchaser initials a statement in the contract confirming that the seller has explained the terms of the contract prior to the purchaser signing*. [225 ILCS 45/1a-1(e)]

b) *For pre-need contracts funded by life insurance or a tax-deferred annuity, the cost of an examination shall be borne by the licensee if $10,000 or more of funeral goods and services have been funded by life insurance or annuities during the preceding calendar year. The fee schedule for such examination shall be established in rules promulgated by the Comptroller.* [225 ILCS 45/3]

(Source: Amended at 26 Ill. Reg. 5772, effective April 10, 2002)