

1 AN ACT to amend the Probate Act of 1975 by adding Section  
2 2-6.2.

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

5 Section 5. The Probate Act of 1975 is amended by adding  
6 Section 2-6.2 as follows:

7 (755 ILCS 5/2-6.2 new)

8 Sec. 2-6.2. Elder abuse.

9 (a) Persons convicted of financial exploitation, abuse,  
10 or neglect of an elderly person shall not receive any  
11 property, benefit, or other interest by reason of the death  
12 of that elderly person, whether as heir, legatee,  
13 beneficiary, survivor, appointee, or in any other capacity  
14 and whether the property, benefit, or other interest passes  
15 pursuant to any form of title registration, testamentary or  
16 nontestamentary instrument, intestacy, renunciation, or any  
17 other circumstance. The property, benefit, or other interest  
18 shall pass as if the person convicted of the financial  
19 exploitation, abuse, or neglect died before the decedent,  
20 provided that with respect to joint tenancy property the  
21 interest possessed prior to the death by the person convicted  
22 of the financial exploitation, abuse, or neglect shall not be  
23 diminished by the application of this Section.

24 (b) The holder of any property subject to the provisions  
25 of this Section shall not be liable for distributing or  
26 releasing the property to the person convicted of financial  
27 exploitation, abuse, or neglect of an elderly person if the  
28 distribution or release occurs prior to the conviction.

29 (c) If the holder of any property subject to the  
30 provisions of this Section knows or has reason to know that a  
31 potential beneficiary has been convicted of financial

1 exploitation, abuse, or neglect of an elderly person within  
2 the scope of this Section, the holder shall fully cooperate  
3 with law enforcement authorities and judicial officers in  
4 connection with any investigation of the financial  
5 exploitation, abuse, or neglect.

6 (d) As used in this Section, "elderly person" means a  
7 person 60 years of age or older.