

1 AMENDMENT TO HOUSE BILL 4696

2 AMENDMENT NO. _____. Amend House Bill 4696 by replacing
3 the title with the following:

4 "AN ACT in relation to public health."; and

5 by replacing everything after the enacting clause with the
6 following:

7 "Section 5. The Crematory Regulation Act is amended by
8 changing Sections 5, 10, 35, 55, and 60 and by adding
9 Sections 11, 11.5, 12, 13, 14, 19, 22, 62, 62.5, 62.10,
10 62.15, and 62.20 as follows:

11 (410 ILCS 18/5)

12 Sec. 5. Definitions. As used in this Act:

13 "Alternative container" means a receptacle, other than a
14 casket, in which human remains are transported to the
15 crematory and placed in the cremation chamber for cremation.
16 An alternative container shall be (i) composed of readily
17 combustible materials suitable for cremation, (ii) able to be
18 closed in order to provide a complete covering for the human
19 remains, (iii) resistant to leakage or spillage, (iv) rigid
20 enough for handling with ease, and (v) able to provide
21 protection for the health, safety, and personal integrity of

1 crematory personnel.

2 "Authorizing agent" means a person legally entitled to
3 order the cremation and final disposition of specific human
4 remains.

5 "Body parts" means limbs or other portions of the anatomy
6 that are removed from a person or human remains for medical
7 purposes during treatment, surgery, biopsy, autopsy, or
8 medical research; or human bodies or any portion of bodies
9 that have been donated to science for medical research
10 purposes.

11 "Burial transit permit" means a permit for disposition of
12 a dead human body as required by Illinois law.

13 "Casket" means a rigid container that is designed for the
14 encasement of human remains, is usually constructed of wood,
15 metal, or like material and ornamented and lined with fabric,
16 and may or may not be combustible.

17 "Change of ownership" means a transfer of more than 50%
18 of the stock or assets of a crematory authority.

19 "Comptroller" means the Comptroller of the State of
20 Illinois.

21 "Cremated remains" means all human remains recovered
22 after the completion of the cremation, which may possibly
23 include the residue of any foreign matter including casket
24 material, bridgework, or eyeglasses, that was cremated with
25 the human remains.

26 "Cremation" means the technical process, using heat and
27 flame, that reduces human remains to bone fragments. The
28 reduction takes place through heat and evaporation. Cremation
29 shall include the processing, and may include the
30 pulverization, of the bone fragments.

31 "Cremation chamber" means the enclosed space within which
32 the cremation takes place.

33 "Cremation interment container" means a rigid outer
34 container that, subject to a cemetery's rules and

1 regulations, is composed of concrete, steel, fiberglass, or
2 some similar material in which an urn is placed prior to
3 being interred in the ground, and which is designed to
4 withstand prolonged exposure to the elements and to support
5 the earth above the urn.

6 "Cremation room" means the room in which the cremation
7 chamber is located.

8 "Crematory" means the building or portion of a building
9 that houses the cremation room and the holding facility.

10 "Crematory authority" means the legal entity ~~or--the~~
11 ~~authorized--representative--of--the--legal--entity~~ which is
12 licensed registered by the Comptroller to operate a crematory
13 and to perform cremations.

14 "Department" means the Illinois Department of Public
15 Health.

16 "Final disposition" means the burial, cremation, or other
17 disposition of a dead human body or parts of a dead human
18 body.

19 "Funeral director" means a person known by the title of
20 "funeral director", "funeral director and embalmer", or other
21 similar words or titles, licensed by the State to practice
22 funeral directing or funeral directing and embalming.

23 "Funeral establishment" means a building or separate
24 portion of a building having a specific street address and
25 location and devoted to activities relating to the shelter,
26 care, custody, and preparation of a deceased human body and
27 may contain facilities for funeral or wake services.

28 "Holding facility" means an area that (i) is designated
29 for the retention of human remains prior to cremation, (ii)
30 complies with all applicable public health law, (iii)
31 preserves the health and safety of the crematory authority
32 personnel, and (iv) is secure from access by anyone other
33 than authorized persons. A holding facility may be located
34 in a cremation room.

1 "Human remains" means the body of a deceased person,
2 including any form of body prosthesis that has been
3 permanently attached or implanted in the body.

4 "Niche" means a compartment or cubicle for the
5 memorialization and permanent placement of an urn containing
6 cremated remains.

7 "Processing" means the reduction of identifiable bone
8 fragments after the completion of the cremation process to
9 unidentifiable bone fragments by manual or mechanical means.

10 "Pulverization" means the reduction of identifiable bone
11 fragments after the completion of the cremation process to
12 granulated particles by manual or mechanical means.

13 "Scattering area" means an area which may be designated
14 by a cemetery and located on dedicated cemetery property
15 where cremated remains, which have been removed from their
16 container, can be mixed with, or placed on top of, the soil
17 or ground cover.

18 "Temporary container" means a receptacle for cremated
19 remains, usually composed of cardboard, plastic or similar
20 material, that can be closed in a manner that prevents the
21 leakage or spillage of the cremated remains or the entrance
22 of foreign material, and is a single container of sufficient
23 size to hold the cremated remains until an urn is acquired or
24 the cremated remains are scattered.

25 "Urn" means a receptacle designed to encase the cremated
26 remains.

27 (Source: P.A. 87-1187.)

28 (410 ILCS 18/10)

29 Sec. 10. Establishment of crematory and licensing
30 registration of crematory authority.

31 (a) Any person doing business in this State, or any
32 cemetery, funeral establishment, corporation, partnership,
33 joint venture, voluntary organization or any other entity,

1 may erect, maintain, and operate a crematory in this State
2 and provide the necessary appliances and facilities for the
3 cremation of human remains in accordance with this Act.

4 (b) A crematory shall be subject to all local, State,
5 and federal health and environmental protection requirements
6 and shall obtain all necessary licenses and permits from the
7 Department, the federal Department of Health and Human
8 Services, and the Illinois and federal Environmental
9 Protection Agencies, or such other appropriate local, State,
10 or federal agencies.

11 (c) A crematory may be constructed on or adjacent to any
12 cemetery, on or adjacent to any funeral establishment, or at
13 any other location consistent with local zoning regulations.

14 (d) An application for licensure registration as a
15 crematory authority shall be in writing on forms furnished by
16 the Comptroller. Applications shall be accompanied by a fee
17 of \$50 and shall contain all of the following:

18 (1) The full name and address, both residence and
19 business, of the applicant if the applicant is an
20 individual; the full name and address of every member if
21 the applicant is a partnership; the full name and address
22 of every member of the board of directors if the
23 applicant is an association; and the name and address of
24 every officer, director, and shareholder holding more
25 than 25% of the corporate stock if the applicant is a
26 corporation.

27 (2) The address and location of the crematory.

28 (3) A description of the type of structure and
29 equipment to be used in the operation of the crematory,
30 including the operating permit number issued to the
31 cremation device by the Illinois Environmental Protection
32 Agency.

33 (3.5) Attestation by the owner that cremation
34 services shall be by a person trained in accordance with

1 the requirements of Section 22 of this Act.

2 (3.10) A copy of the certification or
3 certifications issued by the certification program to the
4 person or persons who will operate the cremation device.

5 (4) Any further information that the Comptroller
6 reasonably may require.

7 (e) Each crematory authority shall file an annual report
8 with the Comptroller, accompanied with a \$25 fee, providing
9 (i) an affidavit signed by the owner of the crematory
10 authority that at the time of the report the cremation device
11 was in proper operating condition, (ii) the total number of
12 all cremations performed at the crematory during the past
13 year, (iii) attestation by the licensee that all applicable
14 permits and certifications are valid, and (iv) either (A) any
15 changes required in the information provided under subsection
16 (d) or (B) an indication indicating that no changes have
17 occurred. The annual report shall be filed by a crematory
18 authority on or before March 15 of each calendar year, in the
19 Office of the Comptroller. If the fiscal year of a crematory
20 authority is other than on a calendar year basis, then the
21 crematory authority shall file the report required by this
22 Section within 75 days after the end of its fiscal year. The
23 Comptroller shall, for good cause shown, grant an extension
24 for the filing of the annual report upon the written request
25 of the crematory authority. An extension shall not exceed 60
26 days. If a crematory authority fails to submit an annual
27 report to the Comptroller within the time specified in this
28 Section, the Comptroller shall impose upon the crematory
29 authority a penalty of \$5 for each and every day the
30 crematory authority remains delinquent in submitting the
31 annual report. The Comptroller may abate all or part of the
32 \$5 daily penalty for good cause shown.

33 (f) All records required to be maintained under this
34 Act, including but not limited to those relating to the

1 license registration and annual report of the crematory
2 authority required to be filed under this Section, shall be
3 subject to inspection by the Comptroller upon reasonable
4 notice.

5 (g) The Comptroller may inspect crematory records at the
6 crematory authority's place of business to review the
7 licensee's compliance with this Act. The inspection must
8 include verification that:

9 (1) the crematory authority has complied with
10 record-keeping requirements of this Act;

11 (2) a crematory device operator's certification of
12 training is conspicuously displayed at the crematory;

13 (3) the cremation device has a current operating
14 permit issued by the Illinois Environmental Protection
15 Agency and the permit is conspicuously displayed in the
16 crematory;

17 (4) the crematory authority is in compliance with
18 local zoning requirements; and

19 (5) the crematory authority license issued by the
20 Comptroller is conspicuously displayed at the crematory.

21 (h) The Comptroller shall issue licenses under this Act
22 to the crematories that are registered with the Comptroller
23 as of July 1, 2003 without requiring the previously
24 registered crematories to complete license applications.

25 (Source: P.A. 92-419, eff. 1-1-02.)

26 (410 ILCS 18/11 new)

27 Sec. 11. Grounds for refusal of license or suspension or
28 revocation of license.

29 (a) In this Section, "applicant" means a person who has
30 applied for a license under this Act.

31 (b) The Comptroller may refuse to issue a license under
32 this Act, or may suspend or revoke a license issued under
33 this Act, on any of the following grounds:

1 (1) The applicant or licensee has made any
2 misrepresentation or false statement or concealed any
3 material fact in connection with a license application or
4 licensure under this Act.

5 (2) The applicant or licensee has been engaged in
6 business practices that work a fraud.

7 (3) The applicant or licensee has refused to give
8 information required under this Act to be disclosed to
9 the Comptroller.

10 (4) The applicant or licensee has conducted or is
11 about to conduct cremation business in a fraudulent
12 manner.

13 (5) As to any individual listed in the license
14 application as required under Section 10, that individual
15 has conducted or is about to conduct any cremation
16 business on behalf of the applicant in a fraudulent
17 manner or has been convicted of any felony or misdemeanor
18 an essential element of which is fraud.

19 (6) The applicant or licensee has failed to make
20 the annual report required by this Act or to comply with
21 a final order, decision, or finding of the Comptroller
22 made under this Act.

23 (7) The applicant or licensee, including any
24 member, officer, or director of the applicant or licensee
25 if the applicant or licensee is a firm, partnership,
26 association, or corporation and including any shareholder
27 holding more than 25% of the corporate stock of the
28 applicant or licensee, has violated any provision of this
29 Act or any regulation or order made by the Comptroller
30 under this Act.

31 (8) The Comptroller finds any fact or condition
32 existing that, if it had existed at the time of the
33 original application for a license under this Act, would
34 have warranted the Comptroller in refusing the issuance

1 of the license.

2 (410 ILCS 18/11.5 new)

3 Sec. 11.5. License revocation or suspension; surrender of
4 license.

5 (a) Upon determining that grounds exist for the
6 revocation or suspension of a license issued under this Act,
7 the Comptroller, if appropriate, may revoke or suspend the
8 license issued to the licensee.

9 (b) Upon the revocation or suspension of a license
10 issued under this Act, the licensee must immediately
11 surrender the license to the Comptroller. If the licensee
12 fails to do so, the Comptroller may seize the license.

13 (410 ILCS 18/12 new)

14 Sec. 12. Surrender of license; effect on licensee's
15 liability. A licensee may surrender a license issued under
16 this Act by delivering to the Comptroller a written notice
17 stating that the licensee thereby surrenders the license, but
18 such a surrender does not affect the licensee's civil or
19 criminal liability for acts committed before the surrender.

20 (410 ILCS 18/13 new)

21 Sec. 13. License; display; transfer; duration.

22 (a) Every license issued under this Act must state the
23 number of the license, the business name and address of the
24 licensee's principal place of business, and the licensee's
25 parent company, if any. The license must be conspicuously
26 posted in the place of business operating under the license.

27 (b) No license is transferable or assignable without the
28 express written consent of the Comptroller. A transfer of
29 more than 50% of the ownership of any business licensed under
30 this Act shall be deemed to be an attempted assignment of the
31 license originally issued to the licensee for whom consent of

1 the Comptroller is required.

2 (c) Every license issued under this Act shall remain in
3 force until it has been surrendered, suspended, or revoked in
4 accordance with this Act. Upon the request of an interested
5 person or on the Comptroller's own motion, the Comptroller
6 may issue a new license to a licensee whose license has been
7 revoked under this Act if no factor or condition then exists
8 which would have warranted the Comptroller in originally
9 refusing the issuance of the license.

10 (410 ILCS 18/14 new)

11 Sec. 14. Display of cremation device permit. A crematory
12 authority must conspicuously display in its place of business
13 the operating permit issued to its cremation device by the
14 Illinois Environmental Protection Agency. All rulemaking
15 authority in connection with such operating permits shall be
16 vested with the Illinois Environmental Protection Agency.

17 (410 ILCS 18/19 new)

18 Sec. 19. Cremation only in crematory. An individual or a
19 person, cemetery, funeral establishment, corporation,
20 partnership, joint venture, voluntary organization, or other
21 entity may cremate human remains only in a crematory operated
22 by a crematory authority licensed for this purpose and only
23 under the limitations provided in this Act.

24 (410 ILCS 18/22 new)

25 Sec. 22. Performance of cremation service; training. A
26 person may not perform a cremation service in this State
27 unless he or she has completed training in performing
28 cremation services and received certification by a program
29 recognized by the Comptroller. The crematory authority must
30 conspicuously display the certification at the crematory
31 authority's place of business. Any new employee shall have a

1 reasonable time period, not to exceed one year, to attend a
2 recognized training program. In the interim, the new
3 employee may perform a cremation service if he or she has
4 received training from another person who has received
5 certification by a program recognized by the Comptroller. For
6 purposes of this Act, the Comptroller shall recognize any
7 training program that provides training in the operation of a
8 cremation device, in the maintenance of a clean facility, and
9 in the proper handling of human remains. The Comptroller
10 shall recognize any course that is conducted by a death care
11 trade association in Illinois or the United States or by a
12 manufacturer of a cremation unit that is consistent with the
13 standards provided in this Act.

14 (410 ILCS 18/35)

15 Sec. 35. Cremation procedures.

16 (a) Human remains shall not be cremated within 24 hours
17 after the time of death, as indicated on the Medical
18 Examiner's/Coroner's Certificate of Death. In any death, the
19 human remains shall not be cremated by the crematory
20 authority until a cremation permit has been received from
21 the coroner or medical examiner of the county in which the
22 death occurred and the crematory authority has received a
23 cremation authorization form, executed by an authorizing
24 agent, in accordance with the provisions of Section 15 of
25 this Act. In no instance, however, shall the lapse of time
26 between the death and the cremation be less than 24 hours,
27 unless (i) it is known the deceased has an infectious or
28 dangerous disease and that the time requirement is waived in
29 writing by the medical examiner or coroner where the death
30 occurred or (ii) because of a religious requirement.

31 (b) Except as set forth in subsection (a) of this
32 Section, a crematory authority shall have the right to
33 schedule the actual cremation to be performed at its own

1 convenience, at any time after the human remains have been
2 delivered to the crematory authority, unless the crematory
3 authority has received specific instructions to the contrary
4 on the cremation authorization form.

5 (c) No crematory authority shall cremate human remains
6 when it has actual knowledge that human remains contain a
7 pacemaker or any other material or implant that may be
8 potentially hazardous to the person performing the
9 cremation.

10 (d) No crematory authority shall refuse to accept human
11 remains for cremation because such human remains are not
12 embalmed.

13 (e) Whenever a crematory authority is unable or
14 unauthorized to cremate human remains immediately upon taking
15 custody of the remains, the crematory authority shall place
16 the human remains in a holding facility in accordance with
17 the crematory authority's rules and regulations. The
18 crematory authority must notify the authorizing agent of the
19 reasons for delay in cremation if a properly authorized
20 cremation is not performed within any time period expressly
21 contemplated in the authorization.

22 (f) A crematory authority shall not accept a casket or
23 alternative container from which there is any evidence of the
24 leakage of body fluids.

25 (g) The casket or the alternative container shall be
26 cremated with the human remains or destroyed, unless the
27 crematory authority has notified the authorizing agent to the
28 contrary on the cremation authorization form and obtained the
29 written consent of the authorizing agent.

30 (h) The simultaneous cremation of the human remains of
31 more than one person within the same cremation chamber,
32 without the prior written consent of the authorizing agent,
33 is prohibited. Nothing in this subsection, however, shall
34 prevent the simultaneous cremation within the same cremation

1 chamber of body parts delivered to the crematory authority
2 from multiple sources, or the use of cremation equipment that
3 contains more than one cremation chamber.

4 (i) No unauthorized person shall be permitted in the
5 holding facility or cremation room while any human remains
6 are being held there awaiting cremation, being cremated, or
7 being removed from the cremation chamber.

8 (j) A crematory authority shall not remove any dental
9 gold, body parts, organs, or any item of value prior to or
10 subsequent to a cremation without previously having received
11 specific written authorization from the authorizing agent and
12 written instructions for the delivery of these items to the
13 authorizing agent. Under no circumstances shall a crematory
14 authority profit from making or assisting in any removal of
15 valuables.

16 (k) Upon the completion of each cremation, and insofar
17 as is practicable, all of the recoverable residue of the
18 cremation process shall be removed from the cremation
19 chamber.

20 (l) If all of the recovered cremated remains will not
21 fit within the receptacle that has been selected, the
22 remainder of the cremated remains shall be returned to the
23 authorizing agent or the agent's designee in a separate
24 container. The crematory authority shall not return to an
25 authorizing agent or the agent's designee more or less
26 cremated remains than were removed from the cremation
27 chamber.

28 (m) A crematory authority shall not knowingly represent
29 to an authorizing agent or the agent's designee that a
30 temporary container or urn contains the cremated remains of a
31 specific decedent when it does not.

32 (n) Cremated remains shall be shipped only by a method
33 that has an internal tracing system available and that
34 provides a receipt signed by the person accepting delivery.

1 (o) A crematory authority shall maintain an
2 identification system that shall ensure that it shall be able
3 to identify the human remains in its possession throughout
4 all phases of the cremation process.

5 (Source: P.A. 87-1187.)

6 (410 ILCS 18/55)

7 Sec. 55. Penalties.

8 Violations of this Act shall be punishable as follows:

9 (1) Performing a cremation without receipt of a
10 cremation authorization form signed by an authorizing
11 agent shall be a Class 4 felony.

12 (2) Signing a cremation authorization form with the
13 actual knowledge that the form contains false or
14 incorrect information shall be a Class 4 felony.

15 (3) A Violation of any cremation procedure set
16 forth in Section 35 shall be a Class 4 felony.

17 (4) Holding oneself out to the public as a
18 crematory authority, or the operation of a building or
19 structure within this State as a crematory, without being
20 licensed registered under this Act, shall be a Class A
21 misdemeanor.

22 (4.5) Performance of a cremation service by a
23 person who has not completed a training program as
24 defined in Section 22 of this Act shall be a Class A
25 misdemeanor.

26 (4.10) Any person who intentionally violates a
27 provision of this Act or a final order of the Comptroller
28 is liable for a civil penalty not to exceed \$5,000 per
29 violation.

30 (4.15) Any person who knowingly acts without proper
31 legal authority and who willfully and knowingly destroys
32 or damages the remains of a deceased human being or who
33 desecrates human remains is guilty of a Class 3 felony.

1 (5) A violation of any other provision of this Act
2 shall be a Class B misdemeanor.

3 (Source: P.A. 87-1187.)

4 (410 ILCS 18/60)

5 Sec. 60. Failure to file annual report. Whenever a
6 crematory authority refuses or neglects to file its annual
7 report in violation of Section 10 of this Act, or fails to
8 otherwise comply with the ~~registration---~~~~er---~~~~inspection~~
9 requirements of ~~Section 10 of~~ this Act, the Comptroller may
10 commence an administrative proceeding as authorized by this
11 Act or may ~~shall~~ communicate the facts to the Attorney
12 General of the State of Illinois who shall thereupon
13 institute such proceedings against the crematory authority or
14 its officers as the nature of the case may require.

15 (Source: P.A. 87-1187.)

16 (410 ILCS 18/62 new)

17 Sec. 62. Investigation of unlawful practices. If the
18 Comptroller has good cause to believe that a person has
19 engaged in, is engaging in, or is about to engage in any
20 practice in violation of this Act, the Comptroller may do any
21 one or more of the following:

22 (1) Require that person to file, on terms the
23 Comptroller prescribes, a statement or report in writing,
24 under oath or otherwise, containing all information that
25 the Comptroller considers necessary to ascertain whether
26 a licensee is in compliance with this Act, or whether an
27 unlicensed person is engaging in activities for which a
28 license is required under this Act.

29 (2) Examine under oath any person in connection
30 with the books and records required to be maintained
31 under this Act.

32 (3) Examine any books and records of a licensee

1 that the Comptroller considers necessary to ascertain
2 compliance with this Act.

3 (4) Require the production of a copy of any record,
4 book, document, account, or paper that is produced in
5 accordance with this Act and retain it in the
6 Comptroller's possession until the completion of all
7 proceedings in connection with which it is produced.

8 (410 ILCS 18/62.5 new)

9 Sec. 62.5. Service of notice. Service by the Comptroller
10 of any notice requiring a person to file a statement or
11 report under this Act shall be made: (1) personally by
12 delivery of a duly executed copy of the notice to the person
13 to be served or, if that person is not a natural person, in
14 the manner provided in the Civil Practice Law when a
15 complaint is filed; or (2) by mailing by certified mail a
16 duly executed copy of the notice to the person to be served
17 at his or her last known abode or principal place of business
18 within this State.

19 (410 ILCS 18/62.10 new)

20 Sec. 62.10. Investigation of actions; hearing.

21 (a) The Comptroller shall make an investigation upon
22 discovering facts that, if proved, would constitute grounds
23 for refusal, suspension, or revocation of a license under
24 this Act.

25 (b) Before refusing to issue, and before suspending or
26 revoking, a license under this Act, the Comptroller shall
27 hold a hearing to determine whether the applicant for a
28 license or the licensee ("the respondent") is entitled to
29 hold such a license. At least 10 days before the date set for
30 the hearing, the Comptroller shall notify the respondent in
31 writing that (i) on the designated date a hearing will be
32 held to determine the respondent's eligibility for a license

1 and (ii) the respondent may appear in person or by counsel.
2 The written notice may be served on the respondent
3 personally, or by registered or certified mail sent to the
4 respondent's business address as shown in the respondent's
5 latest notification to the Comptroller. The notice must
6 include sufficient information to inform the respondent of
7 the general nature of the reason for the Comptroller's
8 action.

9 (c) At the hearing, both the respondent and the
10 complainant shall be accorded ample opportunity to present in
11 person or by counsel such statements, testimony, evidence,
12 and argument as may be pertinent to the charge or to any
13 defense to the charge. The Comptroller may reasonably
14 continue the hearing from time to time. The Comptroller may
15 subpoena any person or persons in this State and take
16 testimony orally, by deposition, or by exhibit, in the same
17 manner and with the same fees and mileage as prescribed in
18 judicial proceedings in civil cases. Any authorized agent of
19 the Comptroller may administer oaths to witnesses at any
20 hearing that the Comptroller is authorized to conduct.

21 (d) The Comptroller, at the Comptroller's expense, shall
22 provide a certified shorthand reporter to take down the
23 testimony and preserve a record of every proceeding at the
24 hearing of any case involving the refusal to issue a license
25 under this Act, the suspension or revocation of such a
26 license, the imposition of a monetary penalty, or the
27 referral of a case for criminal prosecution. The record of
28 any such proceeding shall consist of the notice of hearing,
29 the complaint, all other documents in the nature of pleadings
30 and written motions filed in the proceeding, the transcript
31 of testimony, and the report and orders of the Comptroller.
32 Copies of the transcript of the record may be purchased from
33 the certified shorthand reporter who prepared the record or
34 from the Comptroller.

1 (410 ILCS 18/62.15 new)

2 Sec. 62.15. Court order. Upon the application of the
3 Comptroller or of the applicant or licensee against whom
4 proceedings under Section 62.10 are pending, any circuit
5 court may enter an order requiring witnesses to attend and
6 testify and requiring the production of documents, papers,
7 files, books, and records in connection with any hearing in
8 any proceeding under that Section. Failure to obey such a
9 court order may result in contempt proceedings.

10 (410 ILCS 18/62.20 new)

11 Sec. 62.20. Judicial review.

12 (a) Any person affected by a final administrative
13 decision of the Comptroller under this Act may have the
14 decision reviewed judicially by the circuit court of the
15 county where the person resides or, in the case of a
16 corporation, where the corporation's registered office is
17 located. If the plaintiff in the judicial review proceeding
18 is not a resident of this State, venue shall be in Sangamon
19 County. The provisions of the Administrative Review Law and
20 any rules adopted under it govern all proceedings for the
21 judicial review of final administrative decisions of the
22 Comptroller under this Act. The term "administrative
23 decision" is defined as in the Administrative Review Law.

24 (b) The Comptroller is not required to certify the
25 record of the proceeding unless the plaintiff in the review
26 proceeding has purchased a copy of the transcript from the
27 certified shorthand reporter who prepared the record or from
28 the Comptroller. Exhibits shall be certified without cost.

29 Section 99. Effective date. This Act takes effect on
30 July 1, 2003."