



*A Message from the
Department of Financial and
Professional Regulation*

Whether you're planning a funeral after the death of a loved one or making arrangements for yourself to ease the burden on your family, the Cemetery Oversight Act, signed into law in early 2010, was designed to assist you through the difficult process by making Illinois cemeteries more accountable to their customers and to the State.

By creating the state's first comprehensive regulatory structure, families will have a place to turn if they are not satisfied with the services provided by cemeteries, funeral directors, or embalmers.

The law implements many of the reforms and recommendations of the Cemetery Oversight Task Force, which was created in response to a tragedy at Burr Oak Cemetery in Alsip.

Among many other provisions, this guide outlines a new *Consumer Bill of Rights*, which aims to help protect you in your dealings with the cemetery.

Planning a funeral or burial on its own can be a heart-wrenching ordeal. Our mission is to safeguard your rights during one of your family's most difficult times.

Consumer Rights at Cemeteries



- ❖ You have a right to purchase merchandise or services directly from a cemetery or from another vendor of your choice without incurring an additional charge from the cemetery, as long as the merchandise does not violate the law or the cemetery's rules.
- ❖ You should receive a price list for all cemetery-related products and services that must include effective dates for the prices.
- ❖ A licensed cemetery shall make available and, upon the payment of a reasonable copying fee, provide a copy of its rules and regulations.
- ❖ A cemetery shall provide reasonable maintenance of the cemetery property and of all lots, graves, crypts, and columbariums, as provided in the Act.

Your Contract & Payment to the Cemetery

- ❖ A contract for the interment, inurnment, or entombment of human remains must be signed by the consumer and the cemetery representative. Before signing, make sure that prices for the purchased services and merchandise are disclosed on the contract in plain language.
- ❖ You, as purchaser, get a copy of the signed contract that lists the cemetery's products and services that you have purchased.
- ❖ No cemetery shall require payment for any goods or services by cash only.
- ❖ In addition to the contract for the sale of cemetery goods or services, the cemetery shall provide a receipt to you upon payment in part or full.
- ❖ If a contract is for a term burial, the term, the option to extend the term, and the subsequent disposition of the human remains post-term must be in bold print and

discussed with you. You will be notified in advance of any disinterment from a term burial. Upon notification, you have the right to extend the term of a term burial for the cost stated on the cemetery's current price list.

- ❖ Any contract for the sale of a burial plot must disclose when designated the exact location of the burial plot based on the cemetery map on file with the cemetery.

Your Cemetery Records Rights

- ❖ At the time of the interment, entombment, or inurnment, the cemetery shall provide the record of the deceased's name and date of burial to the person who has authority to dispose of the decedent's remains.
- ❖ Certain non confidential records can be obtained from a cemetery upon request and payment of reasonable copy costs.



If You Have Questions or Problems

You have the right to ask questions and complain to the cemetery and its employees about the cemetery products and services you

have purchased. If your inquiries are not handled to your satisfaction, you have the right to file a formal complaint with the Illinois Department of Financial and Professional Regulation regarding cemetery related products and services, plus any issues with customer service, maintenance or other cemetery activities.

Please note that not all cemeteries are licensed by IDFP. A cemetery may be fully exempt from the law if it is a family or religious burial ground; has not had any burials in the past 10 years; or is smaller than three acres.

