



## 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 last summer in response to the 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 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.

### 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 designated burial plot must disclose the exact location of the burial plot based on the cemetery map on file with the cemetery.

### Your Cemetery Records Rights

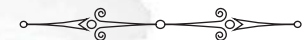
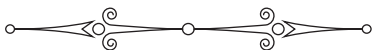
- ❖ At the time of the interment, entombment, or inurnment, the cemetery shall provide the record of the deceased's name and date of burial to the person who has authority to dispose of the decedent's remains.
- ❖ Records can be obtained from a cemetery upon request and payment of reasonable copy costs.



### 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 IDFPR. A cemetery may be fully exempt from the law if it is a family burial ground; has not had any burials in the past 10 years and does not maintain a care fund; or is smaller than two acres and does not maintain a care fund.*





## Consumer Information...

### ...for Funeral Purchases

**Costs**—Cemetery costs and funeral costs are usually paid independently. They are separate and you should discuss them with both the cemetery you select and any funeral home you select.

**Arrangements**—Only a licensed funeral director, embalmer, or customer service employee of a funeral home may meet with you to make any funeral arrangements. You may ask to see their license. Be sure that it is current.

### ...for Purchases Regulated by the Office of the Comptroller

**At Need & Pre-Need**—You may make funeral arrangements “at need,” which means the purchase of funeral services and merchandise is made after the death of an individual. A “pre-need” contract is for a purchase made prior to death and may include burial goods and services such as opening/closing of graves, caskets, vaults and memorialization. A pre-need contract is entered into with a cemetery or funeral home. Pre-need purchases are regulated by the Comptroller.

**Cremation**—The Crematory Regulation Act is currently enforced by the Comptroller. This Act licenses and regulates crematories. Under the Cemetery Oversight Act, the Illinois Department of Financial and Professional Regulation will begin regulating crematories on March 1, 2012.

### Helpful Advice for Cemetery and Funeral Home Purchases

- ❖ *Pre-arranged funeral and burial planning may be helpful, but don't feel rushed to purchase. Compare merchandise and services and their prices with other sellers.*
- ❖ *If you are told that something is required by law, ask to see the law in writing.*
- ❖ *Anything promised should be obtained in writing and signed by someone with authority. Insist that any promise made to you by the seller be in writing.*
- ❖ *If you decide to enter into a contract, find out about refundability and cancellation rights and get it in writing.*
- ❖ *Do not purchase anything that you cannot afford.*
- ❖ *Consult with others such as your family, financial advisor, or attorney for their views prior to any purchase.*



## For complaints relating to cemeteries:

**Illinois Department of Financial & Professional Regulation**  
100 West Randolph Street, 9th Floor  
Chicago, IL 60601

Toll-free Helpline: 1-888-RLOVED1 (756-8331)  
Web site: [www.idfpr.com](http://www.idfpr.com)

## For complaints relating to funeral directors and embalmers:

**Illinois Department of Financial & Professional Regulation**  
100 West Randolph Street, 9th Floor  
Chicago, IL 60601

For complaints: 312-814-6910  
For general information: 312-814-1467  
Web site: [www.idfpr.com](http://www.idfpr.com)

## For complaints relating to pre-need purchases and crematories:

**Office of the Comptroller, State of Illinois**  
Cemetery Care and Burial Trust  
100 West Randolph Street, Room 15-500  
Chicago, IL 60601  
Toll-free Helpline: 1-877-203-3401

*This brochure was created in-house by the Illinois Department of Financial & Professional Regulation and may be reproduced in its entirety without authorization.*

*It is available as a free download for consumers and cemeteries at IDFPR's Web site, [www.idfpr.com](http://www.idfpr.com).*

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# Illinois Consumers' Guide to Cemetery & Final Disposition Purchases



**S**igned by Governor Pat Quinn in early 2010, the Illinois Cemetery Oversight Act directly addresses consumer concerns that may arise during the purchase of cemetery products and services.

This brochure is intended to outline the law's key consumer protections while offering common-sense advice for those making the difficult decisions for themselves or loved ones.



**GOVERNOR PAT QUINN**  
**STATE OF ILLINOIS**



**Illinois Department of Financial and Professional Regulation**