



## SUPPORT Families' Right to Estate Equity (FREE) Act (SB3098/HB4490)

Chief Sponsors: Rep. Lakesia Collins | Chief Sponsors: Sen. Adriane Johnson

**Summary:** The FREE Act restores dignity and honor to families throughout Illinois to carry out the last wishes and affairs of loved ones. Families should be **FREE** to choose who takes on this sacred duty. People living with a record should be **FREE** to honor their family and fulfill their loved one's wishes.

### THE PROBLEM

Current law prohibits anyone with a felony conviction from serving as an executor or administrator of an estate after a family member or loved one has passed away. This four-decades-old law is not supported by evidence or justification for its need.

### THE IMPACT

In Illinois, over 600,000 people have a felony conviction on their record. This is 600,000 people and their families that experience further anxiety and stress by limiting their ability to choose a loved one who is best positioned to handle this responsibility.

### THE SOLUTION

SB3098/HB4490 removes language in the Illinois Probate Act that prohibits anyone with a felony conviction from serving as an executor or administrator of an estate. It brings Illinois one step closer to dismantling the permanent punishments constructed from years of punitive and misguided policies.

35 states do not have a state law preventing people with felony convictions from being an executor of a will or estate:



AK, AZ, CA, CO, CT, DE, GA, HI, ID, IA, KS, KY, ME, MA, MN, MO, MT, NE, NH, NJ, NM, NC, ND, OH, OR, PA, RI, SC, SD, UT, VT, VA, WV, WI, WY

The fastest-growing prison population is women-identified, increasing **646%** from 1980 to 2010.\*



Since 1979, almost half of people with felony convictions in Illinois – **45.3%** - were Black.\*

\*Source: [Never Fully Free: The Scale and Impact of Permanent Punishment on People with Criminal Records](#), page 51 (Table A4) & page 35.

**The Fully Free Campaign** works with leaders across the State of Illinois to dismantle the laws and regulations that govern *permanent punishments*, which are the barriers that deny or restrict rights and opportunities for people with a record long after their involvement with the criminal legal system is over. In Illinois, there are hundreds of permanent punishment laws, denying people employment, education, housing, and the ability to fully pursue all opportunities. Join us in ending permanent punishments.

For more information contact:

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