

*Illinois Regulation is a summary of the weekly regulatory decisions of State agencies published in the Illinois Register and action taken by the Illinois General Assembly's Joint Committee on Administrative Rules. Illinois Regulation, also titled The Flinn Report in memory of founding JCAR member Rep. Monroe Flinn, is designed to inform and involve the public in changes taking place in agency administration.*

## Adopted Rule

### STATE RETIREMENT

The STATE EMPLOYEES' RETIREMENT SYSTEM adopted amendments to The Administration and Operation of the State Employees' Retirement System of Illinois (80 IAC 1540; 45 Ill Reg 1464), effective 5/24/21, concerning resolution of mistakes in benefit calculation and eligibility for election to SERS Board seats. The rulemaking clarifies that benefit underpayments resulting from back pay awards can be addressed without action by the SERS Board; however, a member who believes SERS has incorrectly calculated the benefit or amount of underpayment still has the right to appeal the determination to the Board. The rulemaking also clarifies that currently employed SERS members qualify for election as Board trustees if they have attained 8 years of creditable service on or before the date they

### COVID-19 ACTIONS

Numerous Executive Orders and emergency rules have been issued in response to the COVID-19 pandemic. Executive Orders of the Governor concerning this pandemic can be accessed at <https://www2.illinois.gov/government/executive-orders>. Emergency rules adopted by State agencies will be summarized in The Flinn Report as they are published in the *Illinois Register*.

are sworn into office as trustees. Retired SERS members qualify for election as "annuitants for at least 1 full year" if they have received at least 12 monthly pension annuity payments on or before the date they are sworn in as trustees.

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## Emergency Rulemaking

### VEHICLE REGISTRATION

The SECRETARY OF STATE adopted an emergency amendment to Certificates of Title, Registration of Vehicles (92 IAC 1010; 45 Ill Reg 6862) effective 5/24/21, amending a previous emergency rule effective 5/6/21 for the remainder of its 150-day term. The previous emergency rule required all persons responsible for issuing, tracking and managing temporary registration permits (TRPs) to attend annual training. The emergency amendment clarifies that the annual training can be completed online and in-person training may be required if any violations occurred in the past year. Businesses that issue TRPs are affected.

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**ADOPTED RULES:** Rules adopted by agencies this week. **EMERGENCY RULES:** Adopted for a temporary period not to exceed 150 days.  
**PROPOSED RULES:** Rules proposed by agencies this week, commencing a 45-day First Notice period during which public comments must be accepted.  
**PEREMPTORY RULES:** Rules adopted without prior public notice or JCAR review as authorized by 5 ILCS 100/5-50.  
■ Designates rules of special interest to small businesses, small municipalities, and not-for-profit corporations. Agencies are required to consider comments from these groups and minimize the regulatory burden on them.  
**QUESTIONS/COMMENTS:** Submit mail, email or phone calls to the agency personnel listed below each summary.  
**RULE TEXT:** Available on the Secretary of State ([www.cyberdriveillinois.com](http://www.cyberdriveillinois.com)) and General Assembly ([www.ilga.gov](http://www.ilga.gov)) websites under Illinois Register. Second Notice text (original version with changes made by the agency during First Notice included) is available on the JCAR website.

## Second Notices

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The following rulemakings were moved to Second Notice this week by the agencies listed below, commencing the JCAR review period. These rulemakings will be listed in next week's *Illinois Register* and considered at the June 15, 2021 JCAR meeting. Other items not published in the *Register* or The Flinn Report may also be considered. Further comments concerning these rulemakings should be addressed to JCAR using the contact information on page 1.

### DEPT OF HEALTHCARE & FAMILY SERVICES

Medical Payment (89 IAC 140; 45 Ill Reg 1341) proposed 1/29/21

### STATE BOARD OF EDUCATION

Public Schools Evaluation, Recognition and Supervision (23 IAC 1; 45 Ill Reg 1777) proposed 2/16/21

Vocational Education (Repealer) (23 IAC 254; 44 Ill Reg 19144) proposed 12/11/20

Career and Technical Education (23 IAC 256; 44 Ill Reg 19269) proposed 12/11/20

Student Online Personal Protection (23 IAC 380; 45 Ill Reg 1802) proposed 2/16/21

## Joint Committee on Administrative Rules

**Senator Bill Cunningham, *co-chair***

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**Senator John F. Curran**

**Representative Michael Halpin**

**Senator Donald DeWitte**

**Representative Frances Ann Hurley**

**Senator Kimberly Lightford**

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**Senator Tony Muñoz**

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**Kim Schultz  
Executive Director**