

THE FLINN REPORT

ILLINOIS GENERAL ASSEMBLY
JOINT COMMITTEE ON ADMINISTRATIVE RULES

Elaine Spencer, Editor

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

Proposed Rulemakings

• NOTARIES

The SECRETARY OF STATE proposed amendments to the Part titled Notary Public Records (14 IAC 176; 48 Ill Reg 12154) implementing Public Acts 103-562 and 103-1009. The rulemaking exempts licensed attorneys in good standing with the Attorney Registration and Disciplinary Commission (ARDC), State and federal court judges, and employees of either who have read and understood the current version of the Illinois Notary Public Act, from the requirement to complete a course of study and pass an examination prior to receiving a notary public commission. The rulemaking also exempts certain nomination and candidacy petitions and papers filed on behalf of a candidate for public office from having to be recorded in the notary's journal. Other provisions require electronic notarization system providers to provide SOS with a cybersecurity plan, business continuity plan, and business

termination and succession plan as part of the approval process. Those affected by this rulemaking include attorneys, judges, and their employees who notarize documents.

Questions/requests for copies/comments through 9/30/24: Pamela Wright, SOS, 298 Howlett Building, Springfield IL 62756, 217-785-3094, pwright@ilsos.gov

**Emergency Rule, Page 2
JCAR Meeting Action, Page 2
Adopted Rules, Page 3
Second Notices, Page 7**

CASINO GAMBLING

The ILLINOIS GAMING BOARD proposed an amendment to Riverboat and Casino Gambling (86 IAC 3000; 48 Ill Reg 12120) that allows the IGB Administrator to approve a casino owner's request to issue chips in a denomination other than those

currently specified in rule, which range from 25 cents to \$5,000. Current rule requires the Gaming Board to approve requests for \$1,000 or \$5,000 chips and do not allow chips to be issued in denominations greater than \$5,000.

Questions/requests for copies/comments through 9/30/24: Daniel Gerber, IGB, 160 N. LaSalle St., Chicago IL 60601, 312-814-4700, IGB.RuleComments@iqb.illinois.gov

LABOR RELATIONS

The ILLINOIS LABOR RELATIONS BOARD proposed amendments to General Procedures (80 IAC 1200; 48 Ill Reg 12134), Representation Proceedings (80 IAC 1210; 48 Ill Reg 12141), and Unfair Labor Practice Proceedings (80 IAC 1220; 48 Ill Reg 12149) that clarify various aspects of ILRB hearing procedure. The Part 1200

(cont. page 2)

ADOPTED RULES: Rules adopted by agencies this week. **EMERGENCY RULES:** Temporary rules adopted for no more than 150 days.
PROPOSED RULEMAKINGS: Rules proposed by agencies this week, commencing a First Notice public comment period of at least 45 days.
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/or non-profit organizations. Agencies must consider comments from these groups and attempt to minimize regulatory burdens on them.
QUESTIONS/COMMENTS: Submit mail, e-mail or phone calls to the agency personnel listed below each summary.
RULE TEXT: First Notice proposed text, emergency rule and peremptory rule text is available at the Secretary of State website (<https://www.ilsos.gov/departments/index/register/home.html>) or at the Illinois General Assembly website (<http://www.ilga.gov>) under "Illinois Register". Second Notice text for proposed rulemakings (original version with any changes made by the agency during First Notice included) is available at the JCAR website.

Proposed Rulemakings

(cont. from page 1)

amendment defines an Administrative Law Judge (ALJ) as an Illinois-licensed attorney authorized by the Board to conduct hearings and write recommended decisions and orders. (Currently, an ALJ may be either the agency head or any Illinois-licensed attorney.) The Part 1210 and 1220 rulemakings require audio or video files introduced as evidence to be submitted to the ALJ in advance of the hearing, with 4 copies in CD-ROM or DVD format and also as an e-mail attachment. The Part 1210 rulemaking also adds updated statutory language specifying when unit clarification petitions may be filed and corrects typographical errors.

Questions/requests for copies/comments on the 3 ILRB rulemakings through 9/30/24: Anna Hamburg-Gal, ILRB, 160 N. LaSalle St., Ste. 400, Chicago IL 60601, 312-793-6380, Anna.Hamburg-Gal@Illinois.gov

Emergency Rule

IMMIGRANT HEALTHCARE

The DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES adopted emergency amendments to Special Eligibility Groups (89 IAC 118; 48 Ill Reg 12625) effective 8/5/24 for a maximum of 150 days, replacing identical emergency amendments that were effective 3/8/24. These amendments renew current eligibility criteria that exclude legal permanent U.S. residents from the Health Benefits for Immigrant Adults (HBIA, ages 42-64) and Health Benefits for Immigrant Seniors (HBIS, age 65+) programs. (These programs assist non-U.S. citizens who meet income criteria and do not qualify for federally funded Medicaid assistance. Legal U.S. residents of 5 years or more may qualify for Medicaid.)

Questions/requests for copies: Katie Hill, HFS, 201 S. Grand Ave. East, 3rd Floor, Springfield IL 62763-0002, 217-782-1233, HFS.Rules@illinois.gov

IEPA REPEALERS

The ILLINOIS ENVIRONMENTAL PROTECTION AGENCY proposed repeal of the Parts titled Introductions and Definitions (35 IAC 651; 48 Ill Reg 12059), Design, Operation and Maintenance Criteria (35 IAC 653; 48 Ill Reg 12066) and Raw and Finished Water Quality and Quantity (35 IAC 654; 48 Ill Reg 12109) because the provisions contained in these Parts

have been incorporated into 35 IAC 601 and 35 IAC 604 since 2019.

Questions/requests for copies/comments on the 3 IEPA rulemakings through 9/30/24: Samuel Torrence, IEPA, 1021 N. Grand Ave. East, P.O. Box 19276, Springfield IL 62794-9276.

JCAR Meeting Action

At its 8/14/24 meeting, the Joint Committee on Administrative Rules approved the following actions. Proposed rulemakings from this agenda that are not listed below received No Objection and may be adopted by their agencies. Emergency rules not acted upon at this meeting may be reconsidered at later meetings.

OBJECTION

JCAR objects to the Secretary of State rulemaking titled School Bus Driver Permit (92 IAC 1035; 48 Ill Reg 5663) because this rulemaking does not comply with the statutory authority on which it is based, in accordance with 1 Ill. Adm. Code 220.400(a)(1)(B). The Secretary of State should seek statutory clarification within Sections 6-106.1(a)(4) and 6-508(c-1)(2) of the Illinois Vehicle Code. These Sections require an applicant to pass a written test "administered by the Secretary of State", and the statute does not clearly permit SOS to waive this requirement for any applicant.

EXTENSIONS

JCAR, with the concurrence of the respective agencies, extended the Second Notice periods for the following rulemakings an additional 45 days. These rulemakings will be considered again at the Sept. 10 JCAR meeting.

Capital Development Board, Illinois Energy Conservation Code (71 IAC 600; 48 Ill Reg 8158)

Department of Public Health, Emergency Medical Services, Trauma Center, Comprehensive Stroke Center, Primary Stroke Center and Acute Stroke Ready Hospital Code (77 IAC 515; 48 Ill Reg 95)

Adopted Rules

▪ LONG TERM CARE

The DEPARTMENT OF PUBLIC HEALTH adopted a new Part titled Essential Support Person Code (77 IAC 50; proposed at 48 Ill Reg 4950) effective 8/1/24 at 48 Ill Reg 12360, implementing Public Act 103-261, the Essential Support Person Act. The Act and this rule require nursing homes, veteran's homes, assisted living facilities, ICF/DDs, MC/DDs, Specialized Mental Health Rehabilitation Facilities, community living facilities, supportive living facilities, and residential hospices to permit their residents to have designated essential support persons who may continue to visit them when general restrictions on visitation are in effect (e.g., due to an outbreak of disease). A resident or the resident's representative may designate a primary essential support person and a secondary essential support person as part of the person's plan of care. If a resident is receiving end-of-life care, the primary or secondary essential support person shall have unrestricted access to the resident. The designated support person or persons must agree in writing to comply with the facility's safety and infection prevention protocols. If a resident has not designated an essential support person, the facility must work with the resident or the resident's representative, a family member, or a Long Term Care Ombudsman to identify someone who can serve as an essential support person. Facilities must also adopt policies addressing visitation in the event of a public health emergency declared by the Governor; these policies must address alternate arrangements such as outdoor or virtual visitation and permit unlimited (24/7) indoor visitation for residents when healthcare professionals determine that the resident is near the end of life.

Since 1st Notice, DPH has clarified that visitors, during a public health emergency or other period of visitation restriction, may include any family member or friend of a resident who is near the end of life if the visitors agree to observe the facility's safety protocols. Long term care facilities are affected by this rulemaking.

▪ HOME HEALTH SERVICES

DPH also adopted amendments to Home Health, Home Services, and Home Nursing Agency Code (77 IAC 245; proposed at 48 Ill Reg 3397) effective 8/5/24 at 48 Ill Reg 12368, implementing Public Act 103-257. The Act and this rulemaking require DPH to issue a provisional license valid for 240 days to a new home health, home services or home nursing agency within 90 days after receiving a completed license application. Information to be included on an initial licensure application now includes job descriptions for all positions used by the agency; copies of applicable client service and worker contracts; the agency's criteria for accepting patients/clients; copies of the agency's policies and procedures regarding employee health and safety, employee training, background checks, infection control, complaint resolution, records management, and supervisory visits; and documentation that the agency has access to the DPH Health Care Worker Registry. Within the last 30 days before the provisional license for a new agency expires, DPH will inspect the agency and if the agency meets all requirements for licensure, issue a full license. This provisional license may be extended for up to 90 days if the agency has not yet met all licensure requirements but is making progress toward doing so. For an agency already in operation that has fallen out of compliance with

this Part, the 120-day provisional license currently established in rule may be extended another 120 days if the agency is making progress toward full compliance. The initial and renewal license fee for regulated agencies under this Part is \$1,500 annually for home services, home nursing or home services/home nursing placement agencies and \$1,500 every 2 years (formerly, \$25 per year) for home health agencies. Finally, DPH may request an agency to submit a plan of correction for less serious violations before issuing a notice of violation. Home health, home nursing and home services agencies regulated under this Part are affected.

LEAD POISONING PREVENTION

DPH adopted amendments to Lead Poisoning Prevention Code (77 IAC 845; proposed at 48 Ill Reg 3071) effective 8/5/24 at 48 Ill Reg 12384, that redefine an elevated blood lead level (which must be reported to DPH when detected in a child or pregnant individual) as 3.5 micrograms per deciliter or higher effective 1/1/25, in line with Centers for Disease Control and Prevention recommendations. Since 1st Notice, DPH has clarified that the current standard of 5 micrograms per deciliter or higher will remain in effect through 12/31/24.

▪ HEALTHCARE PROFESSIONALS

DPH adopted amendments to Health Care Professional Credentials Data Collection Code (77 IAC 965; proposed at 48 Ill Reg 4958) effective 8/1/24 at 48 Ill Reg 12398, implementing PAs 103-96 and 103-436. These Acts and this rulemaking allow credential forms (used to verify the professional licensure/certification of health care

(cont. page 4)

Adopted Rules

(cont. from page 3)

professionals) to be prescribed in either print or electronic formats, align the language of the Part with statute, and update the 3-year schedule for health care providers to update credentials. Hospitals, other health care providers, and health care insurance plans are affected.

Questions/requests for copies of the 4 DPH rulemakings: Tracey Trigillo, DPH, 524 S. Second St., 6th Floor, Springfield IL 62701, 217-782-1159, dph.rules@illinois.gov

FOSTER CARE

The DEPARTMENT OF CHILDREN AND FAMILY SERVICES adopted amendments to Placement and Visitation Services (89 IAC 301; proposed at 47 Ill Reg 17563), effective 8/1/24 at 48 Ill Reg 12183, to align the Part with Title IV-E of the federal Social Security Act (which governs federal funding for foster care, adoption, and kinship guardianship services) by adding definitions of “independent assessment” and “qualified residential treatment program”.

DCFS HEARINGS

DCFS also adopted amendments to Administrative Case Reviews and Court Hearings (89 IAC 316; proposed at 48 Ill Reg 1999) effective 8/1/24 at 48 Ill Reg 12195, updating the Part to reflect current practice. The rulemaking requires administrative case reviews and allows decision reviews to be conducted by teleconference or videoconference; an administrative case review may be done in person if the reviewer determines it is necessary. Notice of an administrative case review must be sent by U.S. Mail to the child’s

guardian ad litem, legal representative or court appointed special advocate (in addition to the child, parents, caregiver/foster parent and caseworker) and if a parent is incarcerated, must be sent to the facility in which the parent resides. Court appointed special advocates may participate in these reviews. The rulemaking also clarifies caseworker responsibilities during an administrative case review; adds federal statutory provisions regarding youth in qualified residential treatment programs; replaces the term “children for whom the Department is legally responsible” with “youth in care”, “service provider” with “child welfare contributing agency” and “service plan” with “case plan”; updates the statutory definition of “family” to include fictive kin (persons not related to a child by blood or marriage, but with whom the child has a family-like relationship); and requires (previously, encouraged) visitation and contact between siblings when possible. Since 1st Notice, DCFS has removed a proposal to exclude parents who become aggressive or disruptive from a teleconference review, and instead has retained rules allowing them to be excluded from an in-person review. Other changes clarify when information regarding the child’s family may be disclosed to foster parents and clarify the criteria for reviewing sibling placement.

MISSING CHILDREN

DCFS adopted amendments to the Part titled Locating and Returning Missing, Runaway, and Abducted Children (89 IAC 329; proposed at 47 Ill Reg 16130) effective 8/1/24 at 48 Ill Reg 12218, that expand the definition of “child or youth” (formerly, “children for whom the Department is legally responsible”, i.e., children under DCFS guardianship or whose parents have placed them in foster care or for

adoption) to include Intake Family Cases (in which DCFS has a file on the family but the child has not been removed from the home), runaway foster children, and former foster children enrolled in transition to adulthood support services. Child welfare workers, in addition to notifying DCFS, must notify local law enforcement authorities and the National Center for Missing and Exploited Children (NCMEC) within 24 hours of being made aware of a missing, runaway, or abducted child or youth that is in DCFS custody or foster care. The report to NCMEC must include specific delineated details regarding the child or youth, including a photograph, physical description of height, weight, hair color, eye color, etc. and any factors that would place the child/youth in danger (e.g., prescription medications, suicidal tendencies, pregnancy). Finally, when the child or youth returns or is located, the child welfare worker must notify all the contacted agencies of the information pertaining to the recovery and the circumstances related to it. Child welfare agencies that contract with DCFS are affected by this rulemaking.

DCFS PERSONNEL

Finally, DCFS adopted amendments to the Part titled Audits, Reviews and Investigations (89 IAC 434; proposed at 47 Ill Reg 17295) effective 8/1/24 at 48 Ill Reg 12227, allowing purchase of service (POS) agencies that contract with DCFS to subtract the value of fringe benefit packages from their costs, thereby reducing the amount of excess revenue they must pay back to the Department. Since previous excess revenue limitations effectively limited benefit packages to no more than 25% of salary, this rulemaking will allow POS agencies to offer enhanced fringe benefit packages

(cont. page 5)

Adopted Rules

(cont. from page 4)

worth more than this amount. The rulemaking also changes the name of the Office of Field Audits to the Office of Financial Review, replaces the term “grant” with “award”, updates the effective date for cost reporting requirements, and adds statutory authority for the audit standards to be followed by the Office of Financial Review. Since 1st Notice, DCFS has changed the effective date for the new excess revenue determination to 7/1/23 (previously, 7/1/21).

Questions/requests for copies of the 4 DCFS rulemakings: Tamara Bristow, DCFS, 406 E. Monroe, Station #65, Springfield IL 62701-1498, 217-524-1983, DCFS.Policy@illinois.gov

INSURANCE EXCHANGE

The DEPARTMENT OF INSURANCE adopted a new Part titled Illinois Health Benefits Exchange (50 IAC 4500; proposed at 48 Ill Reg 2038) effective 8/1/24 at 48 Ill Reg 12312, and also adopted amendments to the Part titled Navigator, In-Person Counselor and Certified Application Counselor Certification (50 IAC 4515; proposed at 48 Ill Reg 2347) effective 8/1/24 at 48 Ill Reg 12343, both implementing Public Act 103-103. The Act and these rulemakings will transition the State’s Affordable Care Act health insurance exchange to a State-based health insurance exchange on a federal platform by 2025 and a fully State-based exchange by 2026. The new Part 4500 implements the first phase of the transition by establishing standards for certification of qualified health plans (QHPs) and for the Small Business Health Options Program (SHOP); establishing standards for certification of Certified Application Counselors (CACs) and CAC

Organizations and for eligibility for federal Navigator grants; and implementing federal standards, including training standards, for agents and brokers that wish to assist individuals with enrolling in QHPs or employers with applying for QHPs. Those affected by this rulemaking may include small businesses seeking QHPs for their employees. The Part 4515 rulemaking updates existing federal training standards for Navigators, Certified Application Counselors, and other non-Navigator assistance personnel who assist consumers in choosing affordable insurance plans or, if eligible, enrolling in Medicaid. (A future rulemaking will implement Illinois-specific standards in anticipation of the move to a State-based exchange.) This rulemaking also provides that when reviewing the criminal record of an applicant for certification under this Part, DOI will not request records of or consider juvenile offenses; arrests without a subsequent charge or conviction; charges that were dismissed; convictions overturned on appeal; or arrest/conviction records that were later expunged or sealed. If an applicant has a felony conviction record, DOI will consider mitigating factors and evidence of rehabilitation before deciding whether to deny, suspend or revoke certification/licensure, including factors such as length of time since the conviction, the bearing the offense does or does not have on the person’s duties, and evidence of the person’s present fitness and professional character. These changes align the criminal records review policy for prospective Navigators, application counselors, etc., with DOI’s rules for other license or certification applicants under the Illinois Insurance Code.

Questions/requests for copies of the 2 DOI rulemakings: Part 4500, Ryan Gillespie (217-558-2746,

Ryan.Gillespie@illinois.gov); Part 4515, Sara Stanberry (217-782-5415, Sara.Stanberry@illinois.gov); DOI, 320 W. Washington St., 4th Floor, Springfield IL 62767-0001.

STUDENT ASSISTANCE

The ILLINOIS STUDENT ASSISTANCE COMMISSION adopted amendments to General Provisions (23 IAC 2700; proposed at 48 Ill Reg 5891) effective 8/1/24 at 48 Ill Reg 12551, clarifying the residency status of dependent students who are required to list an out-of-state parent contributor on their Free Application for Federal Student Aid (FAFSA). The student will still qualify as an Illinois resident for State financial aid purposes if the student physically resides in Illinois with the other parent. Higher education institutions may, in these situations, allow the dependent student’s financial aid eligibility to be based on the contribution of the Illinois resident parent. Other provisions add a definition for the federal Student Aid Index for determining financial need and clarify the definition of an educational planning service provider to exclude all institutions of higher education (currently, only public or not-for-profit institutions) that provide educational planning services as part of their financial aid or career counseling services. Changes since 1st Notice further clarify how an institution may review a student's residency status.

ISAC also adopted amendments to Nursing Education Scholarships (23 IAC 2749; proposed at 48 Ill Reg 5913), Illinois Graduate and Retain Our Workforce (iGROW) Tech Scholarship Program (23 IAC 2750; proposed at 48 Ill Reg 5949) and Community Behavioral Health Care Professional Loan Repayment Program (23 IAC 2753; proposed at 48 Ill Reg 5956), all

(cont. page 6)

Adopted Rules

(cont. from page 5)

effective 8/1/24 at 48 Ill Reg 12574, 12611, and 12618. Amendments to Part 2749 update provisions of the scholarship program (recently transferred to ISAC from the Department of Public Health) to reflect ISAC policy and remove no longer used definitions and cross references. The Part 2750 rulemaking provides that applicants for the iGROW program must also complete the FAFSA and that ISAC will determine a maximum award amount annually; provides for extension of the repayment period when the employment obligation cannot be fulfilled due to military service or temporary disability; and clarifies how scholarship awards will be determined when combined with other forms of financial assistance, including Monetary Award Program (MAP) grants and assistance targeted specifically to tuition, fees or room and board. The Part 2753 amendments increase the maximum amount of student loan repayment assistance for graduates in various behavioral health specialties, ranging from \$4,000 (currently \$2,500) per year for certified alcohol/drug counselors and recovery support specialists to \$40,000 (currently \$35,000) per year for psychiatrists. Eligibility for loan repayment is also extended to licensed marriage and family therapists; professionals with master's or bachelor's degrees in counseling, psychology, social work, or marriage and family therapy; and professionals working at behavioral health clinics, substance use treatment centers, or State-operated psychiatric hospitals licensed or certified by the Department of Human Services or Department of Healthcare and Family Services. Each fiscal year, at least 30% of funding for the loan repayment program must be set aside

for minority applicants (African-American/Black, Hispanic/Latino, Asian, Native American). If ISAC, by January 1 of each fiscal year, receives minority applications that total less than 30% of available funding, the remainder may be awarded to other qualified applicants.

Questions/requests for copies of the 4 ISAC rulemakings: Jackie Eckley, ISAC, 500 W. Monroe St., 3rd Fl., Springfield IL 62704, 217-782-5161, jackie.eckley@illinois.gov

SNAP BENEFITS

The DEPARTMENT OF HUMAN SERVICES adopted amendments to Supplemental Nutrition Assistance Program (SNAP) (89 IAC 121; proposed at 48 Ill Reg 5588) effective 7/31/24 at 48 Ill Reg 12298, implementing recent changes to federal law. The rulemaking increases the age at which SNAP recipients age 18 and older become exempt from work requirements from 50 to 51 years effective 9/1/23; to 53 years effective 10/1/23; and to 55 years effective 10/1/24. Exemptions from work requirements are also extended to homeless persons as defined in the federal Food and Nutrition Act (individuals lacking a fixed and regular nighttime residence or whose primary nighttime residence is a supervised temporary accommodation or a location not designed to be an overnight accommodation); to veterans of the U.S. Armed Forces, regardless of discharge status; and to former foster children ages 18 to 24.

Questions/requests for copies: Tracie Drew, DHS, 100 S. Grand Ave. East, 3rd Floor, Springfield IL 62762, 217-785-9772, DHS.AdministrativeRules@illinois.gov

CAREER & TECH EDUCATION

The STATE BOARD OF EDUCATION adopted amendments to the Part titled Career and Technical Education (23 IAC 256; proposed at 48 Ill Reg 2297) effective 7/30/24 at 48 Ill Reg 12247, instituting a new funding formula for career and technical education (CTE) programming. The formula for high schools will be based on the number of CTE participants (students who have enrolled in at least one CTE course during the school year with an outcome of pass, fail or incomplete) and number of CTE concentrators (students who have successfully completed at least 2 CTE courses in a single program during their high school career). For elementary schools, the formula will be based on total student enrollment. For all schools, these numbers will be adjusted based on each district's final percent of adequacy (from SBE's evidence-based school funding formula) to calculate adequacy-adjusted counts for each district. Finally, the formula for area career centers will be based on the higher of its prior year enrollment or its 3-year average enrollment. Funds allocated for leadership programs will be based on regional average salary data for high school principals. SBE intends to phase-in the new funding formula in such a way that prevents any recipient entity from receiving less funding than the previous year during the phase-in period. Since 1st Notice, SBE has added a definition of a full-time high school principal (contracted for at least 260 days in a 1-year period) and clarified other definitions.

Questions/requests for copies: Azita Kakvand, SBE, 555 W. Monroe St., Suite 900, Chicago IL 60661, 312-783-2757, rules@isbe.net

(cont. page 7)

Adopted Rules

(cont. from page 6)

▪ PARKING TAX

The DEPARTMENT OF REVENUE adopted amendments to Parking Excise Tax (86 IAC 195; proposed at 48 Ill Reg 2377) effective 8/5/24 at 48 Ill Reg 12523, implementing Public Acts 102-700 and 103-9. The PAs and this rulemaking clarify how this tax (6% of each hourly, daily or weekly parking fee; 9% of monthly or annual parking fees) is imposed, collected and paid when booking intermediaries facilitate use of parking spaces on behalf of the registered or unregistered operators of parking areas and garages. Effective 1/1/24, the booking intermediary, rather than the operator, is responsible for collecting and remitting the tax to DOR. Provisions that applied to operators prior to and after 7/1/23 are explained, along with provisions that apply to operators and booking intermediaries effective 1/1/24. Since 1st Notice, DOR has clarified that service, booking, cancellation and other fees imposed by a booking intermediary will be treated the same as other service charges for purposes of this Part. Businesses that operate parking facilities or that book or collect parking fees on their behalf are affected.

Questions/requests for copies: Alexis K. Overstreet, DOR, 101 W. Jefferson St., Springfield IL 62794, 217-782-2844, REV.GCO@illinois.gov

BANKS

The DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION adopted a new Part titled Banking Development District Act (38 IAC 346; proposed at 48 Ill Reg 5221) effective 8/2/24 at 48 Ill Reg 12263, implementing Public Act 102-802, the Illinois Banking Development District Act, which was effective 1/1/23. The Act and the new Part are intended to encourage establishment of banking branches to provide banking services in areas that are not adequately served by existing banks. Units of local government may join with depository institutions to create banking development districts (BDDs) approved by DFPR and the State Treasurer. The new Part outlines the application process for creating a BDD, which includes a pre-application conference to discuss the need for the proposed district and identify any needed supporting information. The contents of the application, standards for review, and requirements for annual reports to DFPR are also included. Those affected by this rulemaking include financial institutions and units of local government.

NURSING HOME ADMINISTRATION

DFPR also adopted amendments to Nursing Home Administrators Licensing and Disciplinary Act (68 IAC 1310; proposed at 48 Ill Reg 3502) effective 8/2/24 at 48 Ill Reg 12280, that allow the statements of sound mental and physical health required for licensure, and documentation of illness or disability required to obtain a waiver of continuing education requirements, to be signed by a physician assistant, an advanced practice registered nurse (APRN), or a full practice authority APRN (previously, only a physician could sign these statements).

INTERIOR DESIGNERS

Finally, DFPR adopted an amendment to Registered Interior Designers Act (68 IAC 1255; proposed at 48 Ill Reg 3457) effective 8/2/24 at 48 Ill Reg 12276, that replaces a generic image of the registration seal with an official sample image bearing a registration number and the words “Registered Interior Designer” and “State of Illinois”.

Questions/requests for copies of the 3 DFPR rulemakings: Craig Cellini, DFPR, 320 W. Washington St., 2nd Floor, Springfield IL 62786, 217-785-0810, fax 217-557-4451, Craig.cellini@illinois.gov

Second Notices

The following rulemakings were moved to Second Notice this week by the agencies listed below, commencing the JCAR review period. These rulemakings will be considered at the September 10, 2024, meeting in Chicago. Other items not published in the *Illinois Register* or The Flinn Report may also be considered. Further comments concerning these rulemakings should be addressed to JCAR at jcar@ilga.gov.

DEPT OF COMMERCE & ECONOMIC OPPORTUNITY

Illinois Film Production Services Tax Credit Program (14 IAC 528; 48 Ill Reg 7901) proposed 5/31/24

DEPT OF FINANCIAL & PROFESSIONAL REGULATION

Real Estate Appraiser Licensing (68 IAC 1455; 48 Ill Reg 7918) proposed 5/31/24

DEPT OF REVENUE

Retailers' Occupation Tax (86 IAC 130; 48 Ill Reg 6748) proposed 5/10/24

Service Occupation Tax (86 IAC 140; 48 Ill Reg 6779) proposed 5/10/24

Use Tax (86 IAC 150; 48 Ill Reg 6807) proposed 5/10/24

Hotel Operators' Occupation Tax (86 IAC 480; 48 Ill Reg 6817) proposed 5/10/24

Next JCAR Meeting: Tuesday, Sept. 10, 11 a.m.

Room C-600, Bilandic Bldg., 160 N. LaSalle St., Chicago

Meeting will be live streamed on the JCAR website

Joint Committee on Administrative Rules

Senator Bill Cunningham, Co-Chair

Senator Cristina Castro

Senator Donald DeWitte

Senator Dale Fowler

Senator Napoleon Harris, III

Senator Sue Rezin

Representative Ryan Spain, Co-Chair

Representative Eva-Dina Delgado

Representative Jackie Haas

Representative Steven Reick

Representative Curtis Tarver, II

Representative Dave Vella

Kim Schultz, Executive Director ■ Kevin Kulavic, Deputy Director

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