

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

TRAFFIC VIOLATIONS

The SECRETARY OF STATE proposed amendments to Cancellation, Revocation, or Suspension of Licenses or Permits (92 IAC 1040; 49 Ill Reg 15101) implementing various Public Acts. Pursuant to PA 102-982, this rulemaking replaces the term "accident", in relation to automobile, motor vehicle, and traffic accidents, with "crash". It also implements PA 103-179 by changing certain railroad crossing violations by commercial motor vehicle drivers from point-assigned to disqualification, and PA 103-899 by adding point-assigned violations committed by drivers of low-speed electric scooters. Other provisions add new violations for failure to yield to emergency vehicles or emergency workers on a highway that results in death, injury or property damage; delete unused definitions; add a definition of Illinois Person with a Disability Identification Card; replace references to bond

forfeiture (abolished by the SAFE-T Act) with "violation of pre-trial release conviction"; and change the spelling of "night time" to "nighttime".

▪ CAPITOL COMPLEX

SOS also proposed amendments to Public Use of The Capitol Complex and Springfield Facilities (71 IAC 2005; 49

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Ill Reg 15062) clarifying various aspects of its rules for public entry, gatherings, displays and demonstrations on the premises of the Capitol and other State buildings. The rulemaking adds a definition of "display" which includes any display of artwork such as paintings, sculptures, photographs, and arts and crafts; public service and educational presentations; signs or banners that are not held by an individual or are at least 28" wide or 72" high; holiday

displays; and historical displays. Persons or organizations wishing to erect displays must obtain advance permission from SOS and must include a detailed description of the display and contact information for its sponsors. Displays can be removed at any time if they are damaged, require excessive or unreasonable maintenance, present a threat to public safety, or are significantly altered in use, design or character. Applications for permission to hold a demonstration or erect a temporary display must be submitted at least 2 weeks prior to the event date. Life protection or safety devices such as fire alarms, fire extinguishers, automated defibrillators and push plates for wheelchair access cannot be blocked when demonstrating or erecting a temporary display, and no small structures may be erected on the grounds. Public areas of the Capitol include the hallways, entran-

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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

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ces, rotunda, and other areas adjacent to the rotunda or its railings on the second, third and fourth floors, but do not include the House or Senate chambers or galleries or any areas under the direct control of the House or Senate, which are subject to each chamber's own rules. The definition of "demonstration" has been updated to clarify that a demonstration does not include informal tourist activities or members of the public visiting elected officials or conducting routine business with a State agency. A restriction limiting signs, placards, banners and symbols to the first floor of the Capitol is removed. Permission to use amplifying devices (e.g., bullhorns) must be obtained in advance from the Director of the SOS Police. The rulemaking also clarifies that the SOS Police have full police power to enforce all Illinois statutes and removes the list of specific statutes currently cited in rule. Those affected by this rulemaking include organizations seeking permission to hold demonstrations or gatherings or erect public displays at the Capitol Complex.

▪ COURT OF CLAIMS

SOS proposed amendments to Court of Claims Regulations (74 IAC 790; 49 Ill Reg 15082) implementing PA 104-0188, which authorizes remote participation and electronic filing of documents and payments to the Court of Claims. All documents to be filed in the Court of Claims shall be electronically filed through an approved filing system, unless the Clerk of the Court grants a case-by-case exception allowing paper documents to be filed. All pleadings shall include an email address to

which documents can be served. The Commissioner presiding over a case shall have sole discretion regarding whether to require remote or in-person attendance for a Court proceeding or to use electronic recording of evidence. Any summons or notice to a remote proceeding must include instructions for accessing the platform being used for remote participation. Other provisions clarify when a document filed electronically is considered timely filed and the measures to be taken when technical or other difficulties prevent timely filing. Persons with cases before the Court of Claims are affected.

Questions/requests for copies/comments on the 3 SOS rulemakings through 1/14/26: Pamela Wright, SOS, 298 Howlett Building, Springfield IL 62756, 217-785-3094, pwright@ilsos.gov

SICKLE CELL THERAPY

The DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES proposed amendments to Medical Assistance Programs (89 IAC 120; 49 Ill Reg 15023) instituting a Cell and Gene Therapy (CGT) Access Model Program for persons with sickle cell disease. (The CGT Access Model is a multi-year voluntary program, approved via a federal Medicaid waiver, for states that already participate in Medicaid Drug Rebate Programs.) To qualify for this program, an individual must have a documented medical diagnosis of sickle cell disease; be enrolled in the Illinois Medical Assistance program and have Medicaid as their primary payer at the time the therapy is administered; receive a model drug or gene therapy from a manufacturer participating in the CGT Access Model; meet clinical eligibility criteria established by the U.S. Food and Drug Administration and HFS' published policy; and meet standardized prior authorization criteria established in

outcome-based agreements with the participating manufacturer.

Questions/requests for copies/comments through 1/14/26: Kathy Hunt Muse, HFS, 201 S. Grand Ave. East, 3rd Floor, Springfield IL 62763-0002, 217-782-1233, HFS.Rules@illinois.gov

DNR VETERAN FEES

The DEPARTMENT OF NATURAL RESOURCES proposed amendments to the Part titled Illinois Resident Armed Forces Fee Exemptions and Illinois Resident Veteran Fee Reductions (17 IAC 2510; 49 Ill Reg 15047) that reflect the statutory definition of "acceptable verification of service or mobilization" needed to qualify for half-price fishing and hunting licenses and exemption from camping fees. Acceptable verification includes a DD-214 for discharged veterans of the U.S. Armed Forces; a letter from the Major Command covering Illinois for active duty Armed Forces personnel; a letter from the Department of Military Affairs for members of the Illinois National Guard; a letter from the Regional Reserve Command for members of the Armed Forces Reserve; personnel records for mobilized State employees; and any other documentation that DNR, by rule, deems acceptable to establish dates of mobilization or service. Copies of deployment orders are not acceptable for this purpose. Initial applications and documentation for military and veteran fee reductions and exemptions must be submitted by mail, e-mail or in person to DNR's Springfield office (current rule requires applications to be made in person at any of 5 DNR offices). Once active duty, reserve or veteran status is established, subsequent license renewals can be made through the DNR website or any over the counter

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Proposed Rulemakings

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fishing/hunting license vendor without having to submit documentation. The rulemaking also repeals a Section imposing penalties for using false information to obtain military or veterans fee exemptions.

DEER HUNTING

DNR also proposed an amendment to Landowner Permits (17 IAC 528; 49 Ill

Reg 15037) to comply with Public Act 104-0059. The rulemaking reduces the amount of land required to qualify for a free landowner deer hunting permit from 40 acres to 20 acres if the land is in a county where Chronic Wasting Disease (CWD) has been identified in deer. Landowners in counties with CWD cases are affected.

CONSERVATION OFFENSES

DNR proposed an amendment to Revocation Procedures for Conservation Offenses (17 IAC 2530; 49 Ill Reg 15055) clarifying that a conviction for a conservation-related

State or federal offense includes a plea of guilty or a sentence of court supervision or conditional discharge (in addition to a guilty verdict rendered by a court).

Questions/requests for copies/comments on the 3 DNR rulemakings through 1/14/26: John Fischer, DNR, One Natural Resources Way, Springfield IL 62702, 217-782-1809, dnr.rules@illinois.gov

Adopted Rule

• VEHICLE SAFETY TESTING

The DEPARTMENT OF TRANSPORTATION adopted amendments to the Part now titled Administrative Requirements for Official Testing Stations and Official Mobile Safety Testing Companies (92 IAC 451; proposed at 49 Ill Reg 8127) effective 11/13/25 at 49 Ill Reg 15244, updating the name of the Part and expanding its scope to include Official Mobile Safety Testing Companies (OMSTCs) that can perform safety testing on trucks, truck tractors, trailers, semitrailers, and buses engaged in interstate commerce, in accordance with federal inspection standards. OMSTCs that are open to the public may only perform testing at the vehicle owner's place of business while private OMSTCs (established by private companies to test only the company's own vehicles) may perform testing at the location operated by the permitted owner or wherever the company's vehicles are housed. To obtain the required permit from DOT, Official Testing Stations (OTS) and

OMSTCs must request the permit by e-mail and undergo an inspection, after which they may file an application for a permit, accompanied by a \$50 application fee and a \$10,000 bond. OTS permit applicants must submit digital photos of their testing lanes, while OMSTC applicants must submit digital photos of their physical business address and the make, model, license plate number and Vehicle Identification Number of each vehicle that will be used to perform safety tests. Permits are valid for 12 months and renewable with a \$50 fee. Permits issued to a State, city, county or other governmental agency are exempt from all fees and from the bond requirement. A permit holder whose permit is revoked due to serious violations of DOT rules may not apply for a new permit within 12 months after the revocation. A company that operates its own private OTS or OMSTC must have at least 75 vehicles in its fleet or perform at least 75 inspections per year, otherwise its permit will be cancelled. An OMSTC must, with at least 48 hours' notice,

provide to DOT upon request a list of the vehicles it is scheduled to test, the date and time of the tests, and the names and business addresses of the vehicles' owners. The rulemaking also establishes new door and lane size requirements for new OTSs that are issued permits on or after 7/1/25; updates requirements for OTS/OMSTC owners and Certified Safety Testers (CSTs); updates specifications for Certificates of Safety (COS) applied after vehicles pass inspection and for Vehicle Inspection Reports; and repeals an Appendix that specifies authorized inspection equipment by type and brand. Those affected by this rulemaking include owners and employees of Official Testing Stations and mobile safety testing companies and businesses which own vehicles that are subject to safety inspections.

Questions/requests for copies: Julita Kuzminaite, DOT, 2300 S. Dirksen Parkway, Room 313, Springfield IL 62764, 217-524-2638, DOT.AdminRules@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 December 17, 2025 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.

OFFICE OF THE ATTORNEY GENERAL

Hospital Financial Assistance under the Fair Patient Billing Act (77 IAC 4500; 49 Ill Reg 11198) proposed 9/12/25

DEPT OF REVENUE

Retailers' Occupation Tax (86 IAC 130; 49 Ill Reg 6661) proposed 5/16/25

STATE EMPLOYEES' RETIREMENT SYSTEM

The Administration and Operation of the State Employees' Retirement System of Illinois
(80 IAC 1540; 49 Ill Reg 11050) proposed 9/5/25

OFFICE OF THE TREASURER

Revised Uniform Unclaimed Property Act (74 IAC 760; 49 Ill Reg 12017) proposed 9/26/25

Next JCAR Meeting: Wednesday, Dec. 17, 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 Sally Turner

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
700 Stratton Office Building, Springfield IL 62706
217-785-2254 ■ jcar@ilga.gov