

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

FILM PRODUCTION

The DEPARTMENT OF COMMERCE AND ECONOMIC OPPORTUNITY proposed amendments to the Part titled Illinois Film Production Service Tax Credit Program (14 IAC 528; 50 Ill Reg 525) that incorporate recent statutory changes to the Illinois Film Production Services Tax Credit Program. For accredited productions commencing on or after 7/1/25, the allowable tax credit is equal to the total of the following items: 35% of Illinois production spending (on services from Illinois vendors and/or employment of Illinois residents); 30% of wages paid to non-Illinois residents; 15% of Illinois labor expenditures from employment of residents in high poverty or high unemployment areas; 5% of Illinois labor expenditures in counties other than Cook, DuPage, Kane, Lake, McHenry, and Will; 5% of Illinois production spending on a TV series that relocated to Illinois from another jurisdiction; and 5% of Illinois

production spending on a production that DCEO has certified as "green" (environmentally friendly). Illinois labor expenditures are generally limited to no more than 2 executive producers per accredited production, with some exceptions. For accredited productions commencing on or after 2/3/23, the rulemaking reflects statutory limitations and condictions

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under which wages paid to nonresidents may be counted as Illinois labor expenditures. For productions commencing on or after 6/16/25, the rulemaking places caps on the percentage of above the line spending (on salaries for above the line personnel as defined in the film and TV industry; e.g., producers, directors, screenwriters, principal actors and supporting actors) and below the line spending (for off-

camera technical services) that can be claimed as Illinois labor expenditure qualifying for the tax credit, and also provides a process for requesting a waiver of these caps. Effective 7/1/24, in order to receive a tax credit certificate from DCEO, applicants must also pay a fee equal to 2.5% of the credit attributable to nonresident wages plus 0.25% of the difference between the nonresident wage credit and the applicant's total credit. The rulemaking also clarifies and/or aligns with statute various definitions; requires CPA attestations for related party transactions; and adds a formal dispute process.

Questions/requests for copies/comments through 3/2/26: Gina Arterberry, DCEO, 1011 S. Second St., Springfield IL 62704, 217-524-8974, Gina.M.Arterberry@Illinois.gov

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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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DRIVER'S LICENSES

The SECRETARY OF STATE proposed an amendment to Issuance of Licenses (92 IAC 1030; 50 Ill Reg 597) that adds the American Association of Motor Vehicle Administrators (AAMVA) to the list of entities to whom SOS may disclose captured images (driver's license and State ID card photos) upon request. The AAMVA administers the Driver's License Data Verification (DLDV) Service, whose customers (e.g., the Social Security Administration and other government agencies) use it to verify information obtained from driver's licenses or identification cards.

Questions/requests for copies/comments through 3/2/26: Pamela Wright, SOS, 298 Howlett Building, Springfield IL 62756, 217-785-3094, pwright@ilsos.gov

HOSPITALS

The DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES proposed an amendment to Hospital Services (89 IAC 148; 50 Ill Reg 584) implementing Public Act 103-0102. The PA and the rulemaking establish a funding pool of \$3,500,000 for critical access hospitals in Illinois that provide obstetrical, gynecological, or perinatal services

and other specialty services. The program, called the Critical Access Hospital OB and Other Treatment Services (CAHOOTS) Payment Program, includes \$875,000 for qualifying publicly owned hospitals and \$2.5 million for qualifying non-public hospitals. Each hospital's quarterly payment will be based on its percentage of the total adjusted outpatient claims among all qualifying hospitals, up to a maximum of 10%. For qualifying hospitals that are designated as perinatal hospitals by the Department of Public Health, their outpatient claim numbers will be multiplied by 1.5. Funds remaining in either category after a payment quarter may be redistributed to hospitals that have not reached the 10% maximum.

Questions/requests for copies/comments through 3/2/26: Kathy Hunt Muse, HFS, 201 S. Grand Ave. East, 3rd Floor, Springfield IL 62763-0002, 217-782-1233, HFS.Rules@illinois.gov

COMMUNITY COLLEGES

The ILLINOIS COMMUNITY COLLEGE BOARD proposed amendments to the Part titled Administration of the Illinois Public Community College Act (23 IAC 1501; 50 Ill Reg 556) implementing Public Acts 102-1046 and 103-940. These Acts and this rulemaking designate the following as official ICCB Advisory Organizations: the Illinois Community College Trustees Association or its successor;

the Adult Education and Family Literacy Advisory Council or its successor; a statewide organization representing community college presidents and chancellors, as designated by Board resolution; and a statewide organization representing community college faculty, as designated by Board resolution. Independent organizations, committees, or groups may also be recognized as advisory organizations if approved by Board resolution. Advisory organizations may present matters to ICCB during regular Board meetings and comment on proposed rules or other actions. The rulemaking also updates the organization of ICCB's Student Advisory Committee and the process of selecting the student member of the Board, changes due dates for various ICCB reporting requirements, and removes the Underrepresented Groups Report that is no longer required in statute. Other provisions codify ICCB internal protocol requiring community colleges to report critical cybersecurity incidents to ICCB within 24 hours, and correct cross references.

Questions/requests for copies/comments through 3/2/26: Matt Berry, ICCB, 401 E. Capitol Ave., Springfield IL 62701-1711, 217-785-7411, Matt.Berry@illinois.gov

JCAR Meeting Action

At its January 9, 2026 meeting in Chicago, 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 now be adopted by their agencies. Emergency rules not acted upon at this meeting may be reconsidered at future meetings.

OBJECTIONS

JCAR objected to the State Police Merit Board rulemaking titled Procedures of the Department of State Police Merit Board (80 IAC 150; 49 Ill Reg 11623) because the Board has not been able to fully consider and respond to late public comment concerning the rulemaking as required by 1 Ill. Adm. Code 220.900(a)(3)(E).

JCAR objected to the Elevator Safety Review Board rulemaking titled Illinois Elevator Safety Rules (41 IAC 1000; 49 Ill Reg 3711) because the Board did not consider the economic and budgetary effects of the proposed rulemaking upon those regulated by these changes, other State agencies, and State revenue in general as required by 1 Ill. Adm. Code 220.900(a)(2)(B) and (D). Additionally, JCAR objected to this rulemaking because the Board has not been responsive to public comments during the second notice period and encourages the Board to reevaluate its processes and procedures so that it can respond to public comment and JCAR concerns in a timely manner. The Board has indicated its intent to withdraw the rulemaking in response to this objection.

RECOMMENDATION

With respect to the Chief Procurement Officer for General Services rulemaking titled Chief Procurement Officer for General Services Standard Procurement (44 IAC 1; 49 Ill Reg 6643) JCAR recommended that the Chief Procurement Officer place in administrative rule the required supporting documentation demonstrating that a bidder is an Illinois business and eligible for a bid preference of 4% under Section 45-105 of the Illinois Procurement Code.

FAILURE TO REMEDY

JCAR issued a Notice of Failure to Remedy with regard to the Illinois Emergency Management Agency and Office of Homeland Security emergency rulemaking titled Political Subdivision Emergency Services and Disaster Agencies (29 IAC 301; 49 Ill Reg 9116), to which the Committee issued an Objection at its 8/13/25 meeting, because the Agency had not met the criteria of 1 Ill. Adm. Code 230.400(a)(1)(C), which requires the emergency situation that necessitates the emergency rule to have arisen through no fault of the agency. The Agency has been working on amendments to this Part since August 2021 and had ample time to extend the accreditation deadlines contained in this emergency rule through the proposed rulemaking process. On 11/25/25, JCAR received the agency's response to this Objection, which the Committee determined did not remedy the Objection.

EXTENSIONS

JCAR, with the concurrence of the listed agencies, extended the Second Notice periods for the following rulemakings an additional 45 days. These rulemakings will be considered again at the February 17 meeting.

Department of Healthcare and Family Services, Reimbursement for Nursing Costs for Geriatric Facilities (89 IAC 147; 49 Ill Reg 2835)

Illinois Community College Board, High School Equivalency Testing Program (23 IAC 1507; 49 Ill Reg 7411)

Adopted Rules

▪ PHARMACIES

The DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION adopted amendments to the Part titled Pharmacy Practice Act (68 IAC 1330; proposed at 49 Ill Reg 4982) effective 12/30/25 at 50 Ill Reg 610, reflecting changes to the Act that expand pharmacy services to outpatient clinics and ambulatory surgical treatment centers; allow pharmacists to order and administer certain tests and therapeutics; and update various requirements for pharmacy technicians. These amendments also increase, for the first time in at least 30 years, license application fees for pharmacists (from \$75 to \$400), pharmacist license renewal fees (from \$75 to \$175 per year) and fees for Illinois registry as a pharmacist licensed or registered in another jurisdiction (from \$200 to \$400). Initial licensing application fees for pharmacies are also being increased from \$100 to \$600 and from \$100 to \$250 per year for license renewals. For registration as a student pharmacist (changed since 1st Notice from pharmacy technician), initial registration fees are increased from \$40 to \$50 and renewal fees from \$25 to \$35 per year. Pharmacists who meet certain conditions (including specified training or board certification and Basic Life Support first aid training) may administer and order tests and therapeutics for influenza, SARS-CoV-2 (COVID-19), Group A streptococcus, respiratory syncytial virus (RSV), adult-stage head lice, any condition identified as a statewide public health emergency, and any other condition authorized by the Act, after obtaining a health history intake form from the patient. Testing for these conditions may be delegated to a trained pharmacy technician or student pharmacist under the pharmacist's supervision. A

new Section establishes requirements for outpatient clinic pharmacies. Other provisions clarify license/registration renewal procedures; clarify procedures for centralized filling of prescriptions for multiple dispensing pharmacies; shift responsibility for taking inventory of all drugs in stock at the time of a change in the pharmacist in charge (PIC) from the departing to the incoming PIC; and require DFPR to approve any remodeling of a pharmacy. Since 1st Notice, DFPR has clarified that the continuing education requirement for pharmacy technicians is 20 hours every 24 months (instead of 10 hours in the 12 months prior to license renewal) and made other clarifying changes. Pharmacies, pharmacists, pharmacy technicians, student pharmacists, and outpatient clinics are affected.

▪ APPRAISAL MANAGEMENT

DFPR also adopted amendments to the Part titled Appraisal Management Company Registration Act (68 IAC 1452; proposed at 49 Ill Reg 12312) effective 1/5/26 at 50 Ill Reg 686, implementing PA 102-970 and federal regulatory requirements, including the Uniform Standards of Professional Appraisal Practice (USPAP), as they apply to Appraisal Management Companies (AMCs). The rulemaking extends all registrations that are due to expire on 12/31/26 through 6/30/27 and effective 7/1/27 requires annual renewal with all registrations expiring on June 30 every year (previously, registrations expired on December 31 of even numbered years. DFPR states that this change aligns State registrations with the annual schedule for national registration renewals.) Other provisions clarify the information to be included in an AMC registration application, allow service by email,

enable the DFPR Division of Real Estate to initiate disciplinary proceedings if an AMC fails to notify the Division of a change in its designated controlling person or a change in its ownership or legal structure (e.g., from sole proprietor to corporation), and requires AMCs to have definitive fee structures for fees charged to appraisers. The incorporated version of USPAP is also updated from the 2012 to the 2024 edition. Appraisal management companies are affected.

Questions/requests for copies of the 2 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

▪ UNCLAIMED PROPERTY

The OFFICE OF THE TREASURER adopted amendments to the Part titled Revised Uniform Unclaimed Property Act (74 IAC 760; proposed at 49 Ill Reg 12017) effective 12/31/25 at 50 Ill Reg 778, implementing Public Acts 103-977 and 104-116. These amendments require "finders" who engage in the location, recovery or purchase of unclaimed property to be licensed by the Treasurer and to charge client fees of no more than 10% of the amount collected. License applicants must be of good moral character and demonstrate understanding of the Act, and must pay a \$500 initial licensing fee and \$250 renewal fee every 3 years. Attorneys retained by the owner or apparent owner for the specific purpose of reclaiming identified property, and Certified Public Accountant firms assisting an apparent owner who is not a natural person (e.g., a corporation or partner-

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Adopted Rules

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ship) to comply with the Act, are not finders and do not have to be licensed, although CPAs must register with the Treasurer at no cost. Grounds for denying, suspending or revoking a finder's license or a CPA's registration and an appeal process for affected persons or entities are included. Violations of the finder licensing rules may carry civil penalties of up to \$10,000 per violation. The rulemaking also requires further outreach, in addition to currently required due diligence procedures, to locate owners of apparently abandoned non-retirement, long-term, tax-deferred and tax-exempt accounts. The holder of such accounts must, in the 10th year following the opening of the account, make at least two attempts to contact the apparent owner if the owner has not indicated an interest in the account within the previous 3 years. If the owner responds, no further action is required; if the owner does not respond or is deceased, the account may be turned over to the Treasurer's Office. Those affected by this rulemaking include attorneys, CPAs and unclaimed property finders.

Questions/requests for copies: Austin Stadelman, Office of the Treasurer, 555 W. Monroe St., 14th Floor, Chicago IL 60661, 312-814-0055, AStadelman@illinoistreasurer.gov

▪ ESDA ACCREDITATION

The ILLINOIS EMERGENCY MANAGEMENT AGENCY AND OFFICE OF HOMELAND SECURITY adopted an amendment to the Part titled Political Subdivision Emergency Services and Disaster Agencies (29 IAC 301; proposed at 49 Ill Reg 8875) effective 12/30/25 at 50 Ill Reg 742, replacing emergency amendments that expired on 11/26/25. The rulemaking extends

the maximum accreditation period for local Emergency Services and Disaster Agencies (ESDAs) from 4 to 6 years. Municipal and county ESDAs are affected.

Questions/requests for copies: Traci Burton, IEMA-OHS, 1035 Outer Park Drive, Springfield IL 62704, 217-720-8242, Traci.Burton@illinois.gov

GAC PROCEDURES

The GUARDIANSHIP AND ADVOCACY COMMISSION adopted amendments to the Part titled Human Rights Authority (59 IAC 310; proposed at 49 Ill Reg 11992) effective 1/1/26 at 50 Ill Reg 717, updating various procedures of GAC's regional Human Rights Authorities. The rulemaking adds the Mental Health and Developmental Disabilities Administrative Act, the Specialized Living Centers Act, the Juvenile Court Act of 1987, the Unified Code of Corrections, Mental Treatment for Incarcerated Persons Act, and the Youth Mental Health Protection Act to the statutes whose violations can be investigated by regional authorities. Regional authorities shall consist of 7 to 9 members appointed by the GAC Director (previously, 9 members appointed by the Commission) and the Director, rather than the Commission, has authority to remove members for incompetence, neglect of duty, or malfeasance in office. A majority of appointed members (formerly 5 members) constitutes a quorum. Regional authorities shall hold their annual meeting to elect officers and address other business in the last quarter of the fiscal year (i.e., from April 1 through June 30); if circumstances prevent the annual meeting from taking place during this period, the next scheduled meeting shall become the annual meeting. The rulemaking also aligns regional authorities' meeting notice rules and public comment procedures with the

Open Meetings Act, including provisions for members to participate in a meeting remotely under specified circumstances. Other provisions clarify complaint, investigation and hearing procedures; access to records; public release of reports; confidentiality; and conflicts of interest.

Questions/requests for copies: Taneka Jennings, GAC, 160 N. LaSalle St., S-500, Chicago IL 60601, 312-793-5900, Taneka.Jennings2@illinois.gov

INSURANCE

The DEPARTMENT OF INSURANCE adopted an amendment to the Part titled Internal Security Standard and Fidelity Bonds (50 IAC 904; proposed at 49 Ill Reg 11005) effective 12/30/25 at 50 Ill Reg 749, that allows insurance companies the option of signing their checks using a company name, rather than the name of a corporate officer or employee. DOI also adopted amendments to Pre-Licensing and Continuing Education (50 IAC 3119; proposed at 49 Ill Reg 11009) effective 12/30/25 at 50 Ill Reg 753, that reflect the Department's participation in the National Association of Insurance Commissioners (NAIC) Continuing Education Reciprocity (CER) Agreement with other states. The rulemaking adds explicit references to the NAIC CER Agreement and removes provisions that duplicate or conflict with the Agreement.

Questions/requests for copies of the 2 DOI rulemakings: Part 904, R. John Street, DOI, 115 S. LaSalle St., 13th Floor, Chicago IL 60603, 312-814-8220, john.street@illinois.gov. Part 3119, Sara Stanberry, DOI, 320 W. Washington St., 5th Floor, Springfield IL 62767, 217-782-5415, sara.stanberry@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 February 17, 2026, meeting in Springfield. 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.

IL EMERGENCY MGMT AGENCY & OFFICE OF HOMELAND SECURITY

Safe Operation of Nuclear Facility Boilers and Pressure Vessels (32 IAC 505; 49 Ill Reg 5647) proposed 4/25/25

FIREARM OWNER'S IDENTIFICATION CARD REVIEW BOARD
Reinstatement of Firearm Rights (20 IAC 3500; 49 Ill Reg 12821) proposed 10/17/25

IL GAMING BOARD

Video Gaming (General) (11 IAC 1800; 49 Ill Reg 12342) proposed 10/3/25

IL HOUSING DEVELOPMENT AUTHORITY

Low-Income Housing Tax Credit Allocation (47 IAC 350; 49 Ill Reg 14376) proposed 11/7/25

DEPT OF HUMAN SERVICES

Supplemental Nutrition Assistance Program (SNAP) (89 IAC 121; 49 Ill Reg 12830) proposed 10/17/25

DEPT OF LABOR

Day and Temporary Labor Services (56 IAC 260; 49 Ill Reg 7232) proposed 5/23/25

IL STATE POLICE

O'Hare Driver Safety Act (92 IAC 3500; 49 Ill Reg 14504) proposed 11/14/25

STATE EMPLOYEES' RETIREMENT SYSTEM

The Administration and Operation of the State Employees' Retirement System of Illinois (80 IAC 1540; 49 Ill Reg 14482) proposed 11/14/25

Next JCAR Meeting: Tuesday, Feb. 17, 10:30 a.m.

Room C-1, Stratton Bldg., 401 S. Spring St., Springfield
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
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