

# 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

### • CHILD CARE INSTITUTIONS

The DEPARTMENT OF CHILDREN AND FAMILY SERVICES proposed amendments to Licensing Standards for Group Homes (89 IAC 403; 49 Ill Reg 9883) and Licensing Standards for Child Care Institutions and Maternity Centers (89 IAC 404; 49 Ill Reg 9896) implementing Public Act 103-850, which requires children and youth in DCFS care to have haircare plans. Child care personnel shall assist each child with haircare as needed, shall provide any needed haircare products (e.g., shampoo, conditioner, brushes, combs, curling irons, hair straighteners, oils) and shall be trained in culturally competent haircare if the child's plan requires it. The rulemakings also update various definitions to align with current statutes and other DCFS rules and specify the contents of required background checks for congregate care facility residents, employees, and service providers. The definition of

"child", for purposes of these Parts, includes individuals under age 21 who have been referred to a group home, institution or maternity center by a parent, guardian or agency and have not yet completed a secondary education program. All adults employed by a congregate child care facility, regardless of whether or not

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they work directly with children, are subject to a background check, as are all volunteers, replacement or supplemental staff, interns, and contracted service providers (e.g., security, meal services, housekeeping). The required background check includes fingerprint-based searches of the Illinois State Police and Federal Bureau of Investigation criminal history databases; a search of the DCFS State Central Registry of child abuse and neglect reports; a search of the state

child abuse/neglect registry or database in any other state where an individual has lived in the previous 5 years; and a search of the Illinois Sex Offender Registry and National Sex Offender Public Website. The Part 404 rulemaking also removes provisions allowing new hires to begin work (provided they are not left alone with children) before receiving the results of their background check. Employees, volunteers, and service providers for DCFS licensed child care institutions are affected.

*Questions/requests for copies/comments on the 2 DCFS rulemakings through 9/15/25: Jeff Osowski, DCFS, 406 E. Monroe St., Station #65-D, Springfield IL 62701, 217-524-1983, [DCFS.Policy@illinois.gov](mailto:DCFS.Policy@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.ilso.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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## HUNTING & TRAPPING

The DEPARTMENT OF NATURAL RESOURCES proposed amendments to the Parts titled Raccoon, Opossum, Striped Skunk, Red Fox, Gray Fox, Coyote, Bobcat and Woodchuck (Groundhog) Hunting (17 IAC 550; 49 Ill Reg 9912) and Muskrat, Mink, Raccoon, Opossum, Striped Skunk, Weasel, Red Fox, Gray Fox, Coyote, Badger, River Otter, Beaver, Bobcat and Woodchuck (Groundhog) Trapping (17 IAC 570; 49 Ill Reg 9930) that implement Public Act 104-19 by removing gray fox from the names of these Parts and from the list of furbearing animals that may be hunted or trapped. (Emergency rules implementing the gray fox hunting

ban were adopted on 7/9/25 for a maximum of 150 days.) These rulemakings also make other site-specific changes.

## ENDANGERED SPECIES

DNR also proposed amendments to the Parts titled Illinois List of Endangered and Threatened Fauna (17 IAC 1010; 49 Ill Reg 9947) and Illinois List of Endangered and Threatened Flora (17 IAC 1050; 49 Ill Reg 9958) updating these lists in accordance with recommendations of the Illinois Endangered Species Protection Board. Listings of fish, amphibians, reptiles, invertebrates, and mammals that have been changed in Part 1010 include 8 species of bees added to the endangered list and 4 bee species to the threatened list; multiple species of butterflies, moths and leafhoppers added to the threatened list; brassy minnow (upgraded from threatened to

endangered), banded pygmy sunfish and streamline chub (added as threatened), coachwhip and southern watersnake (removed from the endangered amphibians and reptiles list), and northern long-eared bat (upgraded from threatened to endangered). The Part 1050 amendments reorganize many of the existing endangered/threatened plant listings into the categories of ferns and allies (plants that propagate via spores), angiosperms (flowering plants with enclosed seeds), and gymnosperms (non-flowering plants with naked seeds or seeds in cones) rather than listing them by scientific names.

*Questions/requests for copies of the 4 DNR rulemakings through 9/15/25: Parts 550 and 570, John Fischer; Parts 1010 and 1050, Nicole Thomas; DNR, One Natural Resources Way, Springfield IL 62702-1271, 217-782-1809, Email: [dnr.rules@illinois.gov](mailto:dnr.rules@illinois.gov)*

# Adopted Rules

## ▪ VEHICLE TITLES & REGISTRATION

The SECRETARY OF STATE adopted amendments to Certificates of Title, Registration of Vehicles (92 IAC 1010; proposed at 49 Ill Reg 5899) effective 7/15/25 at 49 Ill Reg 10033, clarifying the process of obtaining vanity and personalized license plates and clarifying various aspects of the Electronic Lien and Title (ELT) Program.

### Vanity/Personalized Plates

A new Section establishes criteria and procedures for obtaining vanity and personalized plates. Applicants may, at the Secretary's discretion, be required to explain the meaning of the proposed registration number for which they are applying. An application may be denied, and a previously issued vanity plate may be revoked, if the proposed or current number duplicates another registration number or if in the opinion of the Secretary the number would substantially interfere with plate identification by law enforcement, would be misleading, or would "create a connotation offensive to good taste and decency". Offensive vanity plates include those with vulgar, profane or obscene connotations; that make derogatory references to groups based on age, race, nationality, ethnicity, sex, gender, sexual orientation, or religion; that express contempt or ridicule for any class of persons; refer to or connote criminal activity, illegal substances, sexual acts, or intimate body parts; or use reverse or inverted numbers and letters, words in a foreign language, or other means to evade these prohibitions. SOS shall inform any applicant whose request is denied or plate holder whose vanity plate is revoked, in writing, of the reason for the decision, and the applicant or plate holder will have 30

days to either appeal the decision or request a different registration number. If a plate is revoked, the holder may obtain a new plate with an approved number and registration stickers at no charge for the same period of registration. Reviews of vanity plate applications will be conducted first by the SOS Vehicle Services Department; if there is uncertainty as to whether a plate should be denied or revoked, further review will be undertaken by a Post-Staff Review Group. A separate Appeals Group will consider appeals from persons whose applications are denied or whose plates are revoked.

### Electronic Liens and Titling

The rulemaking also clarifies that lien removal via the ELT applies only to vehicles and cannot be used to remove liens from manufactured homes. It also requires lienholders, other than those not normally engaged in the business or practice of financing vehicles (defined as issuing fewer than 5 vehicle liens per year) to begin participating in ELT no later than 7/1/26. (These provisions have been changed since 1<sup>st</sup> Notice; as originally proposed, SOS had discretion to decide whether ELT participation would be mandatory and the rule did not define "not normally engaged" in the business of financing vehicles.) Businesses that finance or hold liens on vehicles are affected.

*Questions/requests for copies: Pamela Wright, SOS, 298 Howlett Building, Springfield IL 62756, 217-785-3094, [pwright@ilsos.gov](mailto:pwright@ilsos.gov)*

## ▪ GAMING ADVERTISING

The ILLINOIS GAMING BOARD adopted amendments to Video Gaming (General) (11 IAC 1800; proposed at 48 Ill Reg 16724), Sports Wagering (11 IAC 1900; proposed at

48 Ill Reg 16738), and Riverboat and Casino Gambling (86 IAC 3000; proposed at 48 Ill Reg 16752), all effective 7/17/25 at 49 Ill Reg 9989, 10003, and 10016, that align IGB's licensee advertising and marketing rules across all three Parts. Amendments to 11 IAC 1800 and 1900 cross reference casino gaming advertising and marketing rules that are being added to 86 IAC 3000 and apply them to video gaming and sports wagering licensees. They also require licensees to retain copies of any advertising and marketing materials intended to promote sports wagering and keep a log of where and when these materials were published, aired, displayed or distributed. Since 1<sup>st</sup> Notice, the 11 IAC 1800 rulemaking has clarified that the cross referenced 86 IAC 3000 rules do not apply to advertising or marketing of non-video gaming operations; materials promoting video gaming may be either preserved or retained; and that every terminal operator licensee or applicant, as well as each video gaming location, is responsible for all advertising and marketing done on its behalf. The 86 IAC 3000 rulemaking states that every organization licensee or applicant is responsible for the content and conduct of any and all advertising and marketing done on its behalf or to its benefit, whether by the licensee itself, an employee or agent of the licensee, an affiliated entity or a contracted third party. Third party marketing agreements must not make the contracted party's compensation dependent upon or linked to the number, amount or outcome of wagers generated. Advertising and marketing materials regulated under these rules include direct or electronic mail; telemarketing; print, broadcast, or social media; billboards or signage; internet advertising; sweepstakes,

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# Adopted Rules

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giveaways and other promotional items (added since 1<sup>st</sup> Notice); or patron acquisition, referral or retention programs. Advertising and marketing materials must not contain any false, deceptive, or misleading statements or information; must not describe gaming or any gaming promotion as "free of risk"; and must not imply that increasing the frequency or amount of wagering increases the chances of winning, or that the licensee offers greater chances of winning in comparison to other licensees. All advertising and marketing materials must clearly state that gaming patrons must be 21 or older and must not directly advertise or promote gambling to persons under age 21. These materials must not contain any celebrity endorsements, logos, images, or language intended to appeal to persons under 21, cannot portray persons who are or appear to be under 21, and cannot be distributed, aired, or promoted before any audience that is predominantly

underage, including at college or university campuses or sporting events. Finally, all advertising and marketing material must include language regarding help for problem gambling and any direct marketing mail or e-mail campaign must allow recipients to opt out. Other changes since 1<sup>st</sup> Notice add a description of dynamically generated advertising; prohibit use of the IGB logo or name for any purpose other than to indicate that the location is licensed by IGB; allow third party advertising or marketing agreements with an affiliated entity (prohibited in the original proposal); and clarifies that these rules apply to advertising or marketing aimed at the general public, which does not include individuals physically present at the gaming location. Video gaming, sports wagering and casino gaming licensees and entities that provide advertising or marketing for them are affected by these rulemakings.

*Questions/requests for copies/ of the 3 IGB rulemakings: Daniel Gerber, IGB, 160 N. LaSalle St., Chicago IL 60601, 312-814-4700, fax 312-814-7253, [IGB.RuleComments@illinois.gov](mailto:IGB.RuleComments@illinois.gov)*

## ▪ TOBACCO SALES

The OFFICE OF THE ATTORNEY GENERAL adopted an amendment to the Part titled Tobacco Products Manufacturers' Escrow Enforcement Act of 2003 (14 IAC 250; proposed at 49 Ill Reg 2570) effective 7/15/25 at 49 Ill Reg 9984, updating the contact information (mailing address and e-mail address) that distributors of tobacco products must use to submit their quarterly report forms. (Distributors are required to file quarterly reports with the OAG of the number and brands of cigarettes they have sold from manufacturers that are not participating in the master settlement agreement with major tobacco manufacturers.) Businesses that distribute and sell cigarettes may be affected.

*Questions/requests for copies: Katherine Johnson (217-785-8541, [katherine.johnson@ilag.gov](mailto:katherine.johnson@ilag.gov)) or Lee Ann Schoeffel (217-782-9070, [lee.schoeffel@ilag.gov](mailto:lee.schoeffel@ilag.gov)), OAG, 500 S. Second St., Springfield IL 62701.*

## 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 August 13, 2025 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](mailto:jcar@ilga.gov).

### IL COMMERCE COMMISSION

Certification for New Utility-Scale Solar Installers (83 IAC 461; 48 Ill Reg 17669) proposed 12/13/24

Certification for Energy Efficiency Installers (83 IAC 462; 48 Ill Reg 17674) proposed 12/13/24

Distributed Generation Installer Certification (83 IAC 468; 48 Ill Reg 17679) proposed 12/13/24

Certification for the Installation, Maintenance or Repair of Electric Vehicle Charging Stations (83 IAC 469; 48 Ill Reg 17684) proposed 12/13/24

### DEPT OF HUMAN SERVICES

Recipient's Property (59 IAC 110; 49 Ill Reg 5613) proposed 4/25/25

### DEPT OF INSURANCE

Health Insurance Rate Review (50 IAC 2026; 49 Ill Reg 7427) proposed 5/30/25

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## Second Notices

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### DEPT OF NATURAL RESOURCES

Cock Pheasant, Hungarian Partridge, Bobwhite Quail, and Rabbit Hunting (17 IAC 530; 49 Ill Reg 4137) proposed 4/11/25

Duck, Goose and Coot Hunting (17 IAC 590; 49 Ill Reg 4192) proposed 4/11/25

White-Tailed Deer Hunting By Use of Firearms (17 IAC 650; 49 Ill Reg 4264) proposed 4/11/25

White-Tailed Deer Hunting By Use of Muzzleloading Rifles (17 IAC 660; 49 Ill Reg 4283) proposed 4/11/25

White-Tailed Deer Hunting By Use of Bow and Arrow (17 IAC 670; 49 Ill Reg 4300) proposed 4/11/25

Special White-Tailed Deer Season for Disease Control (17 IAC 675; 49 Ill Reg 4324) proposed 4/11/25

Youth Hunting Seasons (17 IAC 685; 49 Ill Reg 4329) proposed 4/11/25

Squirrel Hunting (17 IAC 690; 49 Ill Reg 4347) proposed 4/11/25

The Taking of Wild Turkeys - Spring Season (17 IAC 710; 49 Ill Reg 4360) proposed 4/11/25

The Taking of Wild Turkeys - Fall Gun Season (17 IAC 715; 49 Ill Reg 4380) proposed 4/11/25

The Taking of Wild Turkeys - Fall Archery Season (17 IAC 720; 49 Ill Reg 4395) proposed 4/11/25

Dove Hunting (17 IAC 730; 49 Ill Reg 4410) proposed 4/11/25

Crow, Woodcock, Snipe, Rail and Teal Hunting (17 IAC 740; 49 Ill Reg 4430) proposed 4/11/25

### DEPT OF PUBLIC HEALTH

Home Health, Home Services, and Home Nursing Agency Code (77 IAC 245; 49 Ill Reg 7485) proposed 5/30/25

Hospice Programs (77 IAC 280; 49 Ill Reg 7490) proposed 5/30/25

### DEPT OF REVENUE

Real Estate Transfer Tax Law (86 IAC 120; 49 Ill Reg 5889) proposed 5/2/25

### Next JCAR Meeting: Wednesday, Aug. 13, 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

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