

THE FLINN REPORT

ILLINOIS GENERAL ASSEMBLY JOINT COMMITTEE ON ADMINISTRATIVE RULES

Elaine Spencer, Editor

VOLUME 49

ISSUE 45

November 7, 2025

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

• PESTICIDES

The DEPARTMENT OF AGRICULTURE proposed amendments to the Part titled Illinois Pesticide Act (8 IAC 250; 49 Ill Reg 14336) that add a statutory definition of barrier mosquitocides (pesticides formulated to kill adult mosquitoes, that leave a mosquitocidal residue on natural or manmade surfaces); prohibits use of mosquito misters that spray pesticide at timed intervals; removes references to public operators and public applicators and replaces them with statutory definitions of "licensed operator" and "licensed commercial applicator"; and establishes standards for the use and application of barrier mosquitocides by commercial applicators and operators. Units of local government, including public health departments, mosquito abatement districts, townships and municipalities are exempt from these restrictions. Commercial applicators and operators must be licensed and

must complete DOA-approved training in the use of barrier mosquitocides before receiving certification (valid for 3 years) to apply them. Applicators and operators may not apply barrier mosquitocides from Oct. 16 through April 14, or when wind speeds exceed 10 miles per hour, and cannot apply restricted use pesticides on or within 500 feet of school

Adopted Rules, Page 2
Second Notices, Page 3

property during normal hours. When barrier mosquitocides are applied on a residential or commercial property, lawn markers must be posted warning individuals to stay off the lawn until the mosquitocide is dry; the property owner may remove these markers the following day. Residents of adjoining properties may request that the applicator notify them at least a day in advance of a mosquitocide application. Violations of the school restriction or of barrier mosquitocide

restrictions will incur 10 points for a knowing violation, 4 points for a negligent violation and 3 points for use of a pesticide contrary to label directions. Those affected by this rulemaking include commercial pesticide applicators and individuals or businesses that use their services.

Questions/requests for copies/comments through 12/22/25: Shauna Collins, DOA, State Fairgrounds, P.O. Box 19281, Springfield IL 62794-9281, 217-782-3256, Shauna.Collins@illinois.gov

HOUSING PROGRAMS

The ILLINOIS HOUSING DEVELOPMENT AUTHORITY proposed an amendment to Homeownership Mortgage Loan Program (47 IAC 300; 49 Ill Reg 14365) increasing the maximum income for eligible borrowers from 120% to 140% of the

(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)

State median family income or the median family income in the metro area where the qualified dwelling is located, whichever is greater. IHDA also proposed amendments to Low-Income Housing Tax Credit Allocation (47 IAC 350; 49 Ill Reg 14376) that replace the current schedule of specific application, reservation, modification and administrative fees for project sponsors seeking tax credits with provisions allowing IHDA to charge sponsors an annual fee for compliance monitoring of projects. If IHDA decides to charge this fee, the amount shall be established on July 1

of that year, redetermined annually each July 1, and based on the cost to the Authority for compliance monitoring in the previous State fiscal year. Sponsors of low-income housing projects are affected.

Questions/requests for copies/comments through 12/22/25: Part 300, Joon Park (312-848-5435, JOPark@ihda.org); Part 350, Christina McClernon (872-271-8481, cmclernon@ihda.org); IHDA, 111 E. Wacker Dr., Suite 1000, Chicago IL 60601.

CAMPAIGN FINANCING

The STATE BOARD OF ELECTIONS proposed amendments to the Part titled Campaign Financing (26 IAC 100; 49 Ill Reg 14347) clarifying campaign

disclosure requirements under Article 9 of the Election Code [10 ILCS 5]. The amendments state that the name of a political action committee formed by a group of candidates must include the name of the entity that formed the committee (currently, the name of the office that the candidates are seeking and the name of the applicable unit of government) and also repeal an obsolete Section defining and regulating "sponsoring entities".

Questions/requests for copies/comments through 12/22/25: H. Poyer, SBEL, 2329 S. MacArthur Blvd., Springfield IL 62704, 217-782-4141, GeneralCounsel@elections.il.gov

Adopted Rules

HOSPITALS

The DEPARTMENT OF PUBLIC HEALTH adopted amendments to Hospital Licensing Requirements (77 IAC 250; proposed at 49 Ill Reg 8063) effective 10/27/25 at 49 Ill Reg 14395, that update (in alignment with statute) notification requirements for emergency personnel, including police, firefighters, emergency medical technicians, and other ambulance personnel, who are exposed to a patient diagnosed at the hospital with a dangerous communicable or infectious disease. The rulemaking requires hospitals to notify these personnel within 48 hours (previously 72 hours) after the patient is diagnosed. Communications concerning these cases shall be treated as confidential medical records. Notification letters sent to a public or private ambulance provider shall list affected ambulance crew members and the communicable disease to which they were exposed, but shall not include the patient's

name. Guidelines promulgated by the National Institute for Occupational Safety and Health (NIOSH) are replacing the current list of specific diseases for which notification is provided to emergency personnel. When a patient with a communicable disease requiring specific precautions (including gastrointestinal infections such as norovirus, C. diff. or shigellosis) is discharged, the hospital must advise any emergency personnel who will be transporting the patient of precautions to be taken against transmission, without naming the specific disease. The rulemaking also requires hospitals to meet federal Centers for Medicare and Medicaid Services requirements for hospital emergency preparedness; these requirements are replacing the specific emergency preparedness, disaster and mass casualty plan criteria currently listed in rule. Other changes include clarifications and updates of rules concerning surgical staff, operating room and anesthesia procedures, and on-site pharmacies;

adding a statutory requirement that medical records be kept for at least 10 years, or up to 12 years if there is litigation involving a patient's record; updates of incorporated and referenced documents, including federal regulations and Centers for Disease Control and Prevention (CDC) guidelines, to the most recent editions; and corrections of statutory and non-statutory text.

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

▪ COLLECTION AGENCIES

The DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION adopted amendments to the Part titled Collection Agency Act (38 IAC 150; proposed at 49 Ill Reg 9692) effective 10/21/25 at 49 Ill Reg 14388, phasing in increased initial and renewal licens-

(cont. page 3)

Adopted Rules

(cont. from page 2)

ing fees. License application fees for a collection agency (previously \$750) will be \$1,200 for calendar year 2025; \$1,350 for 2026; and \$1,500 for 2027 and subsequent years. For branch offices, the license application fee (formerly \$250) will remain \$250 for 2025 and increase to \$350 in 2026 and \$500 for 2027 and thereafter. Annual renewal fees (previously \$250 for

collection agencies and \$50 for branch offices) are increased to \$500 in 2025, \$750 in 2026 and \$1,000 in 2027 and later for collection agencies, and \$100 for 2025, \$150 for 2026 and \$250 for 2027 and beyond for branch agencies. The new restoration fee for an expired license is \$500 (formerly \$50) plus any unpaid renewal fees, and the fee for certifying a licensee's record is \$50 (formerly \$20). DFPR may partially or fully waive these fees on a case-by-case basis if it determines the fees would be unnecessarily burdensome

and waiving them would not impair Department operations. DFPR states that these increases are necessary to defray the costs of regulating Illinois collection agencies, including hiring additional staff dedicated solely to collection agency licensing. Collection agencies are affected.

Questions/requests for copies: 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 November 18, 2025 meeting in Chicago, except for the Illinois Housing Development Authority rulemaking, which will be considered at the December 16 meeting. 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 AUDITOR GENERAL

Code of Regulations (74 IAC 420; 49 Ill Reg 11209) proposed 9/12/25

Code of Rules (74 IAC 440; 49 Ill Reg 11217) proposed 9/12/25

IL CRIMINAL JUSTICE INFORMATION AUTHORITY

Violent Crime Witness Protection Program (20 IAC 1590; 49 Ill Reg 10315) proposed 8/15/25

DEPT OF COMMERCE AND ECONOMIC OPPORTUNITY

Broadband Grant Programs (14 IAC 548; 49 Ill Reg 8837) proposed 7/11/25

DEPT OF HEALTHCARE AND FAMILY SERVICES

Medical Payment (89 IAC 140; 49 Ill Reg 9699) proposed 7/25/25

DEPT OF HUMAN SERVICES

Crisis Assistance (89 IAC 116; 49 Ill Reg 10703) proposed 8/22/25

DEPT OF INSURANCE

Health Maintenance Organization (50 IAC 4521; 49 Ill Reg 7447) proposed 5/30/25

IL HOUSING DEVELOPMENT AUTHORITY

State Housing Appeals Board (47 IAC 395; 49 Ill Reg 6024) proposed 5/9/25

Next JCAR Meeting: Tuesday, Nov. 18, 11 a.m.

Room C-600, Bilandic Building, 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