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December 27, 2013 Volume 37, Issue 52

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INTRODUCTION

The Illinois Register is the official state document for publishing public notice of rulemaking activity initiated by State governmental agencies. The table of contents is arranged categorically by rulemaking activity and alphabetically by agency within each category.

Rulemaking activity consists of proposed or adopted new rules; amendments to or repealers of existing rules; and rules promulgated by emergency or peremptory action. Executive Orders and Proclamations issued by the Governor; notices of public information required by State Statute; and activities (meeting agendas; Statements of Objection or Recommendation, etc.) of the Joint Committee on Administrative Rules (JCAR), a legislative oversight committee which monitors the rulemaking activities of State Agencies; is also published in the Register.

The Register is a weekly update of the Illinois Administrative Code (a compilation of the rules adopted by State agencies). The most recent edition of the Code, along with the Register, comprise the most current accounting of State agencies' rulemakings.

The Illinois Register is the property of the State of Illinois, granted by the authority of the Illinois Administrative Procedure Act [5 ILCS 100/1-1, et seq.].

ILLINOIS REGISTER PUBLICATION SCHEDULE FOR 2013

Issue#	Rules Due Date	Date of Issue
1	December 26, 2012	January 4, 2013
2	December 31, 2012	January 11, 2013
3	January 7, 2013	January 18, 2013
4	January 14, 2013	January 25, 2013
5	January 22, 2013	February 1, 2013
6	January 28, 2013	February 8, 2013
7	February 4, 2013	February 15, 2013
8	February 11, 2013	February 22, 2013
9	February 19, 2013	March 1, 2013
10	February 25, 2013	March 8, 2013
11	March 4, 2013	March 15, 2013
12	March 11, 2013	March 22, 2013
13	March 18, 2013	March 29, 2013
14	March 25, 2013	April 5, 2013
15	April 1, 2013	April 12, 2013
16	April 8, 2013	April 19, 2013
17	April 15, 2013	April 26, 2013
18	April 22, 2013	May 3, 2013
19	April 29, 2013	May 10, 2013
20	May 6, 2013	May 17, 2013

21	May 13, 2013	May 24, 2013
22	May 20, 2013	May 31, 2013
23	May 28, 2013	June 7, 2013
24	June 3, 2013	June 14, 2013
25	June 10, 2013	June 21, 2013
26	June 17, 2013	June 28, 2013
27	June 24, 2013	July 5, 2013
28	July 1, 2013	July 12, 2013
29	July 8, 2013	July 19, 2013
30	July 15, 2013	July 26, 2013
31	July 22, 2013	August 2, 2013
32	July 29, 2013	August 9, 2013
33	August 5, 2013	August 16, 2013
34	August 12, 2013	August 23, 2013
35	August 19, 2013	August 30, 2013
36	August 26, 2013	September 6, 2013
37	September 3, 2013	September 13, 2013
38	September 9, 2013	September 20, 2013
39	September 16, 2013	September 27, 2013
40	September 23, 2013	October 4, 2013
41	September 30, 2013	October 11, 2013
42	October 7, 2013	October 18, 2013
43	October 15, 2013	October 25, 2013
44	October 21, 2013	November 1, 2013
45	October 28, 2013	November 8, 2013
46	November 4, 2013	November 15, 2013
47	November 12, 2013	November 22, 2013
48	November 18, 2013	December 2, 2013
49	November 25, 2013	December 6, 2013
50	December 2, 2013	December 13, 2013
51	December 9, 2013	December 20, 2013
52	December 16, 2013	December 27, 2013

Editor's Note: The Secretary of State Index Department is providing this opportunity to remind you that the next filing period for your Regulatory Agenda will occur from October 15, 2013 to January 2, 2014.

ILLINOIS COMMERCE COMMISSION

NOTICE OF PROPOSED RULES

- 1) Heading of the Part: Governmental Electric Aggregation
- 2) Code Citation: 83 Ill. Adm. Code 470
- 3)

<u>Section Numbers</u> :	<u>Proposed Action</u> :
470.10	New
470.20	New
470.100	New
470.110	New
470.200	New
470.210	New
470.220	New
470.230	New
470.240	New
470.250	New
470.260	New
- 4) Statutory Authority: Implementing Sections 16-104(b) and 16-115A of the Public Utilities Act [220 ILCS 5/16-104(b) and 16-115A] and Section 1-92 of the Illinois Power Agency Act [20 ILCS 3855/1-92] and authorized by Sections 10-101, 8-501, 20-110, 20-120 and 20-130 of the Public Utilities Act [220 ILCS 5/10-101, 8-501, 20-110, 20-120 and 20-130]
- 5) A Complete Description of the Subjects and Issues Involved: The proposed rulemaking addresses the duties of jurisdictional entities—electric utilities and alternative retail electric suppliers—with respect to governmental electric aggregation. Provisions of the Public Utilities Act and the Illinois Power Agency Act allow municipalities, townships, and counties to aggregate the electric load of their residents in an effort to obtain more advantageous terms of service for their residents. The proposed provisions of this rulemaking specify requirements that entities subject to the Commission's jurisdiction must comply with when an area in which an entity's customers live pursues governmental aggregation or when an entity seeks to provide electric service to residents of an area that has chosen to pursue governmental aggregation. The requirements imposed by the rulemaking concern an electric utility's release of customer information to a unit of government that has chosen to undertake aggregation, the protection of customer information, notifications that aggregation suppliers must make to the Commission, and disclosures that aggregation suppliers must ensure are provided to various categories of customers in an area offering an aggregation program. Finally, the rulemaking provides

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NOTICE OF PROPOSED RULES

that jurisdictional entities are subject to fines and penalties under the Public Utilities Act for violations of the provisions of the Part.

- 6) Published studies or reports, and sources of underlying data, used to compose this rulemaking: None
- 7) Will this rulemaking replace any emergency rule currently in effect? No
- 8) Does this rulemaking contain an automatic repeal date? No
- 9) Does this rulemaking contain incorporations by reference? No
- 10) Are there any other proposed rulemakings pending on this Part? No
- 11) Statement of Statewide Policy Objectives: The proposed rulemaking neither creates nor expands any State mandate on units of local government, school districts, or community college districts.
- 12) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Comments should be filed, within 45 days after the date of this issue of the *Illinois Register*, in Docket No. 12-0456 with:

Chief Clerk
Illinois Commerce Commission
527 East Capitol Avenue
Springfield, IL 62701

217/782-7434
- 13) Initial Regulatory Flexibility Analysis:
 - A) Types of small businesses, small municipalities and not-for-profit corporations affected: This rulemaking will affect any subject jurisdictional entities that are also small businesses as defined in the Illinois Administrative Procedure Act. This rulemaking will not affect any small municipalities or not-for-profit corporations.
 - B) Reporting, bookkeeping or other procedures required for compliance:
Bookkeeping and filing procedures

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- C) Types of professional skills necessary for compliance: Managerial and accounting skills
- 14) Regulatory Agenda on which this rulemaking was summarized: This rulemaking was not included on either of the two most recent agendas because: The Commission did not anticipate the need for this rulemaking at the time the most recent Agenda was published.

The full text of the Proposed Rules begins on the next page:

ILLINOIS COMMERCE COMMISSION

NOTICE OF PROPOSED RULES

TITLE 83: PUBLIC UTILITIES
CHAPTER I: ILLINOIS COMMERCE COMMISSION
SUBCHAPTER c: ELECTRIC UTILITIESPART 470
GOVERNMENTAL ELECTRIC AGGREGATION

SUBPART A: GENERAL

Section	
470.10	Definitions
470.20	Construction of this Part

SUBPART B: CUSTOMER INFORMATION

Section	
470.100	Transfer of Customer Information
470.110	Protection of Customer Information

SUBPART C: OBLIGATIONS OF AGGREGATION SUPPLIERS

Section	
470.200	Notification to the Commission
470.210	Customer Disclosures
470.220	Opt-out Aggregation Provisions
470.230	Opt-in Aggregation Provisions
470.240	RES Customers
470.250	Customers on Utility Hourly Service
470.260	Failure to Comply

AUTHORITY: Implementing Sections 16-104(b) and 16-115A of the Public Utilities Act [220 ILCS 5/16-104(b) and 16-115A] and Section 1-92 of the Illinois Power Agency Act [20 ILCS 3855/1-92] and authorized by Sections 10-101, 8-501, 20-110, 20-120 and 20-130 of the Public Utilities Act [220 ILCS 5/10-101, 8-501, 20-110, 20-120 and 20-130].

SOURCE: Adopted at 38 Ill. Reg. _____, effective _____.

SUBPART A: GENERAL

ILLINOIS COMMERCE COMMISSION

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Section 470.10 Definitions

"Aggregate Area" means the area within the geographic boundaries of a municipality, a township or the unincorporated areas of a county that has adopted an ordinance to aggregate residential and/or small commercial retail electric loads.

"Aggregation Customer" means a residential or small commercial retail customer receiving retail electric supplier (RES) service pursuant to an Aggregation Program.

"Aggregation Program" means a program offered by a municipality, township or county, individually or collectively, pursuant to Section 1-92 of the Illinois Power Agency Act and Section 16-104(b) of the Public Utilities Act (PUA) [220 ILCS 5].

"Aggregation Supplier" means the retail electric supplier chosen by the Governmental Aggregator that provides electric supply service to the aggregated residential and small commercial retail electrical loads located within the Aggregate Area.

"Commission" means the Illinois Commerce Commission.

"Electric Utility" means an electric utility, as defined in Section 16-102 of the PUA.

"Governmental Aggregator" means the corporate authorities of a municipality, a township board, or a county board in the Aggregate Area. "Governmental Aggregator" shall have the same meaning as "aggregated entity" as used in Section 1-92 of the Illinois Power Agency Act.

"Incumbent Aggregation Supplier" means the Aggregation Supplier currently providing retail electric supply service pursuant to an Aggregation Program.

"IPA Act" means the Illinois Power Agency Act [20 ILCS 3855].

"Office of Retail Market Development" or "ORMD" has the meaning ascribed in Section 20-110 of the PUA.

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"Opt-in Aggregation Program" means an Aggregation Program offered in accordance with Section 1-92 of the IPA Act and Section 16-104(b) of the PUA, whereby the corporate authorities of a municipality, township board, or county board adopt an ordinance to aggregate the electric loads of residential and small commercial retail customers, provided, however, that only those residential and small commercial retail customers that affirmatively elect to participate in the Opt-in Aggregation Program will have their electric load included in the Opt-in Aggregation Program.

"Opt-out Aggregation Program" means an Aggregation Program offered in accordance with Section 1-92 of the IPA Act and Section 16-104(b) of the PUA, whereby the corporate authorities of a municipality, township board, or county board adopt an ordinance to aggregate the electric loads of residential and small commercial retail customers, when the voters of the municipality, township or county previously passed, by a majority of electors voting on the question, a referendum granting the municipality, township or county the authority to arrange for the supply of electricity for its residential and small commercial retail customers, except for those customers who affirmatively elect not to participate in the Opt-out Aggregation Program.

"Retail Electric Supplier" or "RES" means either:

an alternative retail electric supplier (ARES) as defined in Section 16-102 of the PUA and certified by the Commission pursuant to Section 16-115 of the PUA, meeting all obligations of an ARES pursuant to Section 16-115A of the PUA, and authorized to provide electric power and energy supply services in an Illinois electric utility's service territory; or

an Illinois electric utility as defined in Section 16-102 of the PUA providing service pursuant to Section 16-116 of the PUA and meeting all obligations provided in Sections 16-115A and 16-116 of the PUA.

"RES Customer" means a retail customer receiving RES service who is not an Aggregation Customer.

"RES Service" means electric supply service provided by a RES to retail electric customers.

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"Retail Customer" shall have the same meaning ascribed in Section 16-102 of the PUA.

"Small Commercial Retail Customer" shall have the same meaning ascribed in Section 16-102 of the PUA.

"Utility Fixed-Price Service" means electric supply service provided by the electric utility to retail customers under fixed-price service tariffs.

"Utility Hourly Service" means electric supply service provided by the electric utility to retail customers, pursuant to tariff, that is not under fixed-price service tariffs.

Section 470.20 Construction of this Part

In the event of any conflict between this Part and the requirements provided in electric utility tariffs on file with the Commission as of the effective date of this Part, this Part shall control.

SUBPART B: CUSTOMER INFORMATION

Section 470.100 Transfer of Customer Information

- a) Upon request of a Governmental Aggregator and receipt of a verification from the Governmental Aggregator that either an ordinance has been adopted authorizing an Opt-in Aggregation Program, pursuant to Section 1-92 of the IPA Act, or an ordinance has been adopted and a referendum passed authorizing an Opt-out Aggregation Program, pursuant to Section 1-92 of the IPA Act, the electric utility shall provide the information required in this subsection. If, however, the Governmental Aggregator is a township board, then the electric utility's obligation to provide customer account numbers is contingent upon the township board first providing an accurate customer list to the electric utility. The electric utility shall provide to the Governmental Aggregator, in electronic format, the following:
 - 1) the account numbers, names and addresses of all residential and small commercial retail customers on utility fixed price service in the Aggregate Area that are reflected in the electric utility's records at the time of the request;

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- 2) the account numbers, names and addresses of all residential and small commercial retail customers that receive RES Service in the Aggregate Area that are reflected in the electric utility's records at the time of the request. The identification of customers that receive RES service shall not include the name of the RES providing those services; and
 - 3) the account numbers, names and addresses of all residential and small commercial retail customers that receive utility hourly service in the Aggregate Area that are reflected in the electric utility's records at the time of the request.
- b) If requested by the Governmental Aggregator, the Incumbent Aggregation Supplier shall provide the Governmental Aggregator with information that allows the Governmental Aggregator to identify Aggregation Customers. Unless otherwise agreed upon between the Governmental Aggregator and the Incumbent Aggregation Supplier, the identifying information shall be provided within 10 business days after the request.

Section 470.110 Protection of Customer Information

- a) To protect the customer-specific information described in Section 470.100 and to ensure compliance with Section 1-92 of the IPA Act, the Aggregation Supplier shall establish and follow appropriate protocols to preserve the confidentiality of customer-specific information and limit the use of customer-specific information strictly and only to effectuate the provisions of Section 1-92 of the IPA Act. The Aggregation Supplier shall ensure that these protocols:
- 1) provide that the Aggregation Supplier shall not disclose, use, sell or provide customer-specific information to any person, firm or entity for any purpose outside of the Aggregation Program;
 - 2) provide that the Aggregation Supplier shall not use the customer-specific information to market products other than the service the Aggregation Supplier has contracted to provide the Governmental Aggregator under the applicable Aggregation Program consistent with Section 1-92 of the IPA Act; and
 - 3) except as otherwise required by record retention obligations imposed by applicable law, within 30 days following: a customer's opt-out of the

ILLINOIS COMMERCE COMMISSION

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Aggregation Program, a customer's exit from the Aggregation Program, or the end of the term during which the Aggregation Supplier is providing service to the Aggregation Program, the Aggregation Supplier must dispose of, delete, and/or destroy all customer-specific information in whatever format that is in its possession as a result of having been the Aggregation Supplier to an Aggregation Program. The Aggregation Supplier may not use customer-specific information retained due to record retention obligations to market to customers.

- b) Breaches of these confidentiality provisions by the Aggregation Supplier will be subject to the imposition of financial penalties by the Commission as described in Section 16-115B(b) of the PUA.

SUBPART C: OBLIGATIONS OF AGGREGATION SUPPLIERS

Section 470.200 Notification to the Commission

- a) Aggregation Suppliers shall provide the following Aggregation Program information to the Commission's ORMD for posting on the Commission's public website:
- 1) the end date (expressed in month/year) of the aggregation contract and, if different, the end date (expressed in month/year) of the aggregation rate or rates;
 - 2) the aggregation rate or rates (expressed in cents per kWh);
 - 3) any fees for early termination of the contract by the customer;
 - 4) whether the Aggregation Supplier is providing a green or clean energy product and a description of the product; and the clean energy or renewable requirement set by the Governmental Aggregator, if any; and
 - 5) a copy of the Aggregation Supplier's disclosure required by Section 1-92(f) of the IPA Act and any payments, inducements or donations, including civic contributions and consulting fees made by the Aggregation Supplier, either directly or indirectly, to the Governmental Aggregator.

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- b) The information required in subsection (a) shall be provided within three business days after the Governmental Aggregator and the Aggregation Supplier have determined this information to be final and this information has been made public, but no later than three business days after the customer disclosures required under Section 470.210 are sent.
- c) No penalties shall be levied against an Aggregation Supplier pursuant to Section 16-115B(b) of the PUA for failure to comply with this Section unless:
 - 1) Commission Staff has provided a notice to the Aggregation Supplier, regarding its failure to comply with this Section and informing the Aggregation Supplier that it has one business day to remedy the failure, and the Aggregation Supplier fails to provide the information within one business day; or
 - 2) the Aggregation Supplier has failed to provide the information to ORMD within the timeframe specified in subsection (b) three or more times in a calendar year.

Section 470.210 Customer Disclosures

- a) Prior to enrolling or re-enrolling retail customers in an Opt-in or Opt-out Aggregation Program, or whenever there is a change in the rates, end date or choice of Aggregation Supplier of the Aggregation Program, the Aggregation Supplier shall verify that retail customers have been sent disclosures as required by Section 1-92 of the IPA Act evidenced by:
 - 1) a written verification from the Governmental Aggregator that the required disclosure has been sent; or
 - 2) the Aggregation Supplier has sent the required disclosures in compliance with subsection (b) of this Section, Section 470.220 and Section 470.230.
- b) If the Aggregation Supplier sends the required disclosure to retail customers, the disclosure shall state:
 - 1) the legal name of the Aggregation Supplier, the name under which the Aggregation Supplier will market its products, if different, and its business address;

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- 2) the Governmental Aggregator's name and, if available, the Governmental Aggregator's logo to be included on the envelope and first page of any disclosures, and the statement "Important Electricity Aggregation Information Enclosed" must be printed conspicuously on the envelope;
- 3) that customers may purchase their electricity supply from a RES (without providing a price comparison) or the electric utility (either utility fixed-price or hourly service) and the PlugInIllinois.org Internet address;
- 4) that customers may request from the Illinois Power Agency, without charge, a list of all supply options available to them in a format that allows comparison of prices and products;
- 5) the cost to obtain service pursuant to Section 16-103 of the PUA, how to access it, and the fact that it is available to customers without penalty if the customer is currently receiving service under that Section; the disclosure shall not contain a comparison of the proposed aggregation rate to the electric utility's fixed-price service rate;
- 6) the Aggregation Supplier's toll-free telephone number for billing questions, disputes and complaints;
- 7) a local or toll-free telephone number, with the available calling hours, that customers may call with any questions regarding the Aggregation Program; this number shall be provided by the Aggregation Supplier unless otherwise agreed to with the Government Aggregator and shall not be an electric utility number;
- 8) the prices, terms and conditions of the products and services being offered to the customer;
- 9) the presence or absence of early termination fees or penalties and applicable amounts or the formula pursuant to which they are calculated; and
- 10) that net metering customers, pursuant to Section 16-107.5(d)(3) and (e)(3) of the PUA, may forfeit credits for electric supply service and delivery service, or both, if they switch to the Aggregation Supplier.

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Section 470.220 Opt-out Aggregation Provisions

If the Aggregation Supplier sends the disclosures required by Section 1-92 of the IPA Act:

- a) the customer disclosure sent for Opt-out Aggregation Programs shall also:
 - 1) describe the method to opt-out and the opt-out due date expressed as month, day and year;
 - 2) include a statement that those customers who do not opt-out of the Opt-Out Aggregation Program will have been deemed to have authorized and agreed to being enrolled in the Opt-Out Aggregation Program and to having their electric supply service switched to the Aggregation Supplier under the terms and conditions applicable to the opt-out aggregation program;
- b) the opt-out due date shall be a minimum of 21 calendar days after the date of the disclosure postmark;
- c) the Aggregation Supplier shall allow customers to opt-out by the following methods:
 - 1) by returning a postage paid postcard or similar notice supplied by the Aggregation Supplier; and
 - 2) by at least one of the following additional methods:
 - A) telephone;
 - B) e-mail; or
 - C) Aggregation Supplier or Governmental Aggregator website.

Section 470.230 Opt-in Aggregation Provisions

- a) If the Aggregation Supplier sends the required disclosures, the disclosure shall describe the affirmative actions needed to join the Aggregation Program.

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- b) The Aggregation Supplier shall verify a customer's request to join the Opt-in Aggregation Program in the same manner as an electric service provider confirms a change in a customer's selection of a provider of electric service under Section 2EE(a) through (c) of the Consumer Fraud and Deceptive Business Practices Act [815 ILCS 505].

Section 470.240 RES Customers

- a) Unless otherwise agreed to with the Governmental Aggregator, if the Aggregation Supplier sends the required disclosures, the disclosures shall be sent to customers receiving, or pending to receive, non-aggregation RES service and shall contain the following information:
 - 1) Notification that an Aggregation Program is currently on-going in their municipality, township or unincorporated area;
 - 2) A disclosure that adequately describes, in plain language, the prices, terms and conditions of the products and services being offered to the customer;
 - 3) If the Aggregation Program contains a fee for the early termination from the program by the customer, the amount of that fee;
 - 4) A description of the affirmative action necessary for the customer to join the Aggregation Program.
- b) Disclosures sent to customers receiving, or pending to receive, non-aggregation RES service shall not contain a comparison of the proposed aggregation rate to the customer's current RES rate.
- c) If an Aggregation Supplier receives a request from a RES customer to join the Aggregation Program, the Aggregation Supplier shall inform the RES customer that he/she may be subject to fees for early termination pursuant to his/her current RES contract.
- d) The Aggregation Supplier shall verify a RES customer's request to join the Aggregation Program in the same manner as an electric service provider confirms a change in a customer's selection of a provider of electric service under Section 2EE(a) through (c) of the Consumer Fraud and Deceptive Business Practices Act.

ILLINOIS COMMERCE COMMISSION

NOTICE OF PROPOSED RULES

Section 470.250 Customers on Utility Hourly Service

- a) Unless otherwise agreed to with the Governmental Aggregator, if the Aggregation Supplier sends the required disclosures, the disclosures shall be sent to customers on Utility Hourly Service and shall contain the following information:
 - 1) that a customer may be denied his/her/its request to join the Aggregation Program based on the terms and conditions of the electric utility's applicable hourly service tariff;
 - 2) that potential savings depend on the customer's actual hourly use patterns, that savings may vary, and that the disclosure shall contain no comparison of rates; and
 - 3) a description of the affirmative action necessary for the customer to join the Aggregation Program.
- b) Disclosures sent to customers on Utility Hourly Service shall not contain a comparison of the proposed aggregation rate to the electric utility's fixed-price service rate.
- c) The Aggregation Supplier shall verify a Utility Hourly Service customer's request to join the Aggregation Program in the same manner as an electric service provider confirms a change in a customer's selection of a provider of electric service under Section 2EE(a) through (c) of the Consumer Fraud and Deceptive Business Practices Act.

Section 470.260 Failure to Comply

Unless otherwise noted, a violation of this Part shall be subject to the fines and penalties set forth in the PUA, including Section 16-115B(b), applicable to RES, and Sections 5-202 and 5-203, applicable to public utilities, including electric delivery utilities.

ILLINOIS COMMERCE COMMISSION

NOTICE OF PROPOSED REPEALER

- 1) Heading of the Part: 9-1-1 Implementation Reports (General Order 208)
- 2) Code Citation: 83 Ill. Adm. Code 720
- 3)

<u>Section Numbers:</u>	<u>Proposed Action:</u>
720.10	Repeal
720.20	Repeal
720.30	Repeal
- 4) Statutory Authority: Implementing and authorized by Section 13 of "An Act in relation to the designation of an emergency telephone number for use throughout the state" [50 ILCS 750/13]
- 5) A Complete Description of the Subjects and Issues Involved: Public Act 96-508 repealed section 13 of the Emergency Telephone System Act (50 ILCS 750/13), which required telephone companies to file reports with the Commission regarding their implementation of 9-1-1 service. With the repeal of the statutory reporting requirement, the rules related to that requirement may now also be repealed.
- 6) Published studies or reports, and sources of underlying data, used to compose this rulemaking: None
- 7) Will this rulemaking replace any emergency rule currently in effect? No
- 8) Does this rulemaking contain an automatic repeal date? No
- 9) Does this rulemaking contain incorporations by reference? No
- 10) Are there any other proposed rulemakings pending on this Part? No
- 11) Statement of Statewide Policy Objectives: This proposed rulemaking neither creates nor expands any State mandate on units of local government, school districts, or community college districts.
- 12) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Comments should be filed, within 45 days after the date of this issue of the *Illinois Register*, in Docket No. 13-0590 with:

Chief Clerk

ILLINOIS COMMERCE COMMISSION

NOTICE OF PROPOSED REPEALER

Illinois Commerce Commission
527 East Capitol Avenue
Springfield, IL 62701

217/782-7434

- 13) Initial Regulatory Flexibility Analysis:
- A) Types of small businesses, small municipalities and not-for-profit corporations affected: This rulemaking will affect any subject jurisdictional entities that are also small businesses as defined in the Illinois Administrative Procedure Act. This rulemaking will not affect any small municipalities or not-for-profit corporations.
 - B) Reporting, bookkeeping or other procedures required for compliance: None
 - C) Types of professional skills necessary for compliance: None
- 14) Regulatory Agenda on which this rulemaking was summarized: This rulemaking was not included on either of the two most recent agendas because: The Commission did not anticipate the need for this rulemaking at the time the most recent Agenda was published.

The full text of the Proposed Repealer begins on the next page:

ILLINOIS COMMERCE COMMISSION

NOTICE OF PROPOSED REPEALER

TITLE 83: PUBLIC UTILITIES
CHAPTER I: ILLINOIS COMMERCE COMMISSION
SUBCHAPTER f: TELEPHONE UTILITIES

PART 720

9-1-1 IMPLEMENTATION REPORTS
(GENERAL ORDER 208) (REPEALED)

Section

720.10	Authorization of This Part
720.20	Reports
720.30	Submission

AUTHORITY: Implementing and authorized by Section 13 of "An Act in relation to the designation of an emergency telephone number for use throughout the state" (Ill. Rev. Stat. 1981, ch. 134, par. 43).

SOURCE: Adopted at 3 Ill. Reg. 11, p. 25, effective March 17, 1979; codified at 8 Ill. Reg. 12187; repealed at 38 Ill. Reg. _____, effective _____.

Section 720.10 Authorization of This Part

Section 13 of "An Act in relation to the designation of an emergency telephone number for use throughout the state" (Ill. Rev. Stat. 1981, ch. 134, par. 43) provides that each telephone company shall file a report relating to the implementation of 9-1-1 service.

Section 720.20 Reports

The reports required by the Statute shall be completed on forms as the Commission may from time to time prescribe. As a minimum, the report shall provide the following:

- a) Reporting Company.
- b) Corporate Address.
- c) Number of Exchanges in Company.
 - 1) Number of exchanges currently capable of accepting 9-1-1 code (operational systems or intercept recording).

ILLINOIS COMMERCE COMMISSION

NOTICE OF PROPOSED REPEALER

- 2) Does your company have a schedule to convert remaining offices?
- 3) Anticipated dollar amount (in current dollars) required to convert remaining exchanges to accept 9-1-1 code.
- d) Number of 9-1-1 Systems in Operation.
 - 1) Number of 9-1-1 systems in operation as of (date) .
 - 2) Approximate area in square miles of 9-1-1 systems in (d)(1) above.
 - 3) Approximate population served by 9-1-1 systems in (d)(1) above.
- e) Number of 9-1-1 Systems in Planning.
 - 1) Number of 9-1-1 systems in planning as of (date) .
 - 2) Approximate area in square miles of 9-1-1 systems in (e)(1) above.
 - 3) Approximate population to be served by 9-1-1 systems in (e)(1) above.
- f) Number of additional 9-1-1 systems anticipated to be operational by the next required report.

Section 720.30 Submission

Pursuant to Statute, the Commission hereby directs that each of the telephone companies shall file its report with the Chief Clerk of the Illinois Commerce Commission at 527 East Capitol Avenue, Springfield, Illinois 62706; the General Assembly which includes the Clerk of the House, State House Building, Springfield, Illinois 62706; and the Secretary of the Senate, State House Building, Springfield, Illinois 62706.

ILLINOIS COMMERCE COMMISSION

NOTICE OF PROPOSED AMENDMENT

- 1) Heading of the Part: Standards of Service for Local Exchange Telecommunications Carriers
- 2) Code Citation: 83 Ill. Adm. Code 730
- 3) Section Number: 730.100 Proposed Action: Amend
- 4) Statutory Authority: Implementing Sections 8-301, 8-505 and 13-712 and authorized by Section 10-101 of the Public Utilities Act [220 ILCS 5/8-301, 8-505, 13-712 and 10-101]
- 5) A Complete Description of the Subjects and Issues Involved: PA 98-45 added subsections (c)(5) and (c)(6) to Section 13-506.2 of the Public Utilities Act. The new provisions require that, for service-quality purposes, retail telecommunications services provided by competitive local exchange carriers (CLECs) be regulated in the same manner and to the same extent as competitive retail telecom services provided by Electing Providers. Currently, Part 730 contains service quality standards applicable to local exchange carriers other than electing providers. To make Part 730 consistent with the new legislation, it is necessary to remove competitive retail telecom services from the scope of the Part.
- 6) Published studies or reports, and sources of underlying data, used to compose this rulemaking: None
- 7) Will this rulemaking replace any emergency rule currently in effect? No
- 8) Does this rulemaking contain an automatic repeal date? No
- 9) Does this rulemaking contain incorporations by reference? No
- 10) Are there any other proposed rulemakings pending on this Part? No
- 11) Statement of Statewide Policy Objectives: The proposed rulemaking neither creates nor expands any State mandate on units of local government, school districts, or community college districts.
- 12) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Comments should be filed, within 45 days after the date of this issue of the *Illinois Register*, in Docket No. 13-0591 with:

ILLINOIS COMMERCE COMMISSION

NOTICE OF PROPOSED AMENDMENT

Chief Clerk
Illinois Commerce Commission
527 East Capitol Avenue
Springfield, IL 62701

217/782-7434

- 13) Initial Regulatory Flexibility Analysis:
- B) Types of small businesses, small municipalities and not-for-profit corporations affected: This rulemaking will affect any subject jurisdictional entities that are also small businesses as defined in the Illinois Administrative Procedure Act. This amendment will not affect any small municipalities or not-for-profit corporations.
 - B) Reporting, bookkeeping or other procedures required for compliance:
Bookkeeping and filing procedures
 - C) Types of professional skills necessary for compliance: Managerial and accounting skills
- 14) Regulatory Agenda on which this rulemaking was summarized: This rulemaking was not included on either of the two most recent agendas because: The Commission did not anticipate the need for this amendment at the time the most recent Agenda was published.

The full text of the Proposed Amendment begins on the next page:

ILLINOIS COMMERCE COMMISSION

NOTICE OF PROPOSED AMENDMENT

TITLE 83: PUBLIC UTILITIES
CHAPTER I: ILLINOIS COMMERCE COMMISSION
SUBCHAPTER f: TELEPHONE UTILITIES

PART 730
STANDARDS OF SERVICE FOR LOCAL EXCHANGE
TELECOMMUNICATIONS CARRIERS

SUBPART A: GENERAL

Section	
730.100	Application of Part
730.105	Definitions
730.110	Waiver
730.115	Reporting
730.120	Penalties

SUBPART B: RECORDS AND REPORTS

Section	
730.200	Preservation of Records

SUBPART C: ENGINEERING

Section	
730.300	Construction
730.305	Maintenance of Plant and Equipment
730.310	Grade of Service
730.315	Interoffice Trunks (Repealed)
730.320	Network Service
730.325	Emergency Operation
730.330	Construction Work Near Utility Facilities
730.335	Network Interface
730.340	Incorporation of National Codes and Standards

SUBPART D: CALL DATA, INSPECTIONS, AND TESTS

Section	
730.400	Provisions for Testing

ILLINOIS COMMERCE COMMISSION

NOTICE OF PROPOSED AMENDMENT

730.405	Call Data Records
730.410	Call Data Reading Interval
730.415	Call Data Recording Equipment and Test Facilities
730.420	Call Data Recording Equipment Requirements
730.425	Initial Test
730.430	As-Found Tests
730.435	Routine Tests
730.440	Request Tests
730.445	Referee Tests
730.450	Test Records

SUBPART E: STANDARDS OF QUALITY OF SERVICE

Section	
730.500	Adequacy of Service
730.505	Operator Handled Calls
730.510	Answering Time
730.515	Central Office Administrative Requirements
730.520	Interoffice Trunks
730.525	Transmission Requirements
730.530	Coin Telephone Service (Repealed)
730.535	Interruptions of Service
730.540	Installation Requests
730.545	Trouble Reports
730.550	Network Outages and Notification

SUBPART F: SAFETY

Section	
730.600	Safety Program
730.605	Accident Reports (Repealed)

SUBPART G: BOUNDARIES

Section	
730.700	Map Requirements
730.705	Map Specifications
730.710	Application for Certificate (Repealed)
730.711	Changes to Existing Boundaries

ILLINOIS COMMERCE COMMISSION

NOTICE OF PROPOSED AMENDMENT

730.715 Service Outside Exchange Boundaries
730.720 Map Maintenance
730.725 District Boundaries (Repealed)

AUTHORITY: Implementing Sections 8-301, 8-505 and 13-712 and authorized by Section 10-101 of the Public Utilities Act [220 ILCS 5/8-301, 8-505, 13-712 and 10-101].

SOURCE: Filed November 6, 1970; amended at 7 Ill. Reg. 2147, effective February 4, 1983; codified at 8 Ill. Reg. 12191; Part repealed and new Part adopted at 15 Ill. Reg. 16060, effective November 1, 1991; amended at 24 Ill. Reg. 13861, effective September 1, 2000; amended at 27 Ill. Reg. 17997, effective December 1, 2003; amended at 35 Ill. Reg. 8808, effective June 1, 2011; amended at 36 Ill. Reg. 14990, effective October 1, 2012; amended at 38 Ill. Reg. _____, effective _____.

SUBPART A: GENERAL

Section 730.100 Application of Part

- a) This Part shall apply to all local exchange carriers offering or providing ~~either competitive or~~ noncompetitive telecommunications services as defined in Sections ~~13-209 and~~ 13-210 of the Universal Telephone Service Protection Law of 1985 (Law) [220 ILCS 5], except this Part does not apply to Electing Providers as defined in Section 13-506.2(a)(1) of the Public Utilities Act [220 ILCS 5/13-506.2(a)(1)], and except that Sections 730.115(b), 730.535(c), 730.540(d) and (e), and 730.545(h) and (i) are not applicable to telephone cooperatives as defined in Section 13-212 of the Law pursuant to Section 13-701 of the Law. This Part shall only apply to the relationship between a serving local exchange carrier and its end user. This Part shall not apply to the relationship between a serving local exchange carrier that provides wholesale facilities or services to another serving local exchange carrier for provisioning of services to its retail end user customers.
- b) This Part does not supersede the authority of, nor prohibit, the Commission from imposing different, additional, or more stringent service quality standards, reporting requirements or penalties upon a carrier pursuant to Section 13-506.1 of the Public Utilities Act (Alternative forms of regulation for noncompetitive services).

(Source: Amended at 38 Ill. Reg. _____, effective _____)

ILLINOIS COMMERCE COMMISSION

NOTICE OF PROPOSED AMENDMENT

- 1) Heading of the Part: Customer Credits
- 2) Code Citation: 83 Ill. Adm. Code 732
- 3) Section Number: 732.5 Proposed Action:
Amend
- 4) Statutory Authority: Implementing and authorized by Section 13-712 of the Public Utilities Act [220 ILCS 5/13-712]
- 5) A Complete Description of the Subjects and Issues Involved: Public Act 98-45 added subsections (c)(5) and (c)(6) to Section 13-506.2 of the Public Utilities Act. The new provisions require that, for service-quality purposes, retail telecommunications services provided by competitive local exchange carriers (CLECs) be regulated in the same manner and to the same extent as competitive retail telecom services provided by Electing Providers. Credits are given to customers for certain violations of service quality standards. Currently, Part 732 applies to customer credits given by local exchange providers other than electing providers. To make Part 732 consistent with the new legislation, it is necessary to remove from the scope of the Part competitive retail telecom carriers that are not Electing Providers.
- 6) Published studies or reports, and sources of underlying data, used to compose this rulemaking: None
- 7) Will this rulemaking replace any emergency rule currently in effect? No
- 8) Does this rulemaking contain an automatic repeal date? No
- 9) Does this rulemaking contain incorporations by reference? No
- 10) Are there any other proposed rulemakings pending on this Part? No
- 11) Statement of Statewide Policy Objectives: The proposed rulemaking neither creates nor expands any State mandate on units of local government, school districts, or community college districts.
- 12) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Comments should be filed, within 45 days after the date of this issue of the *Illinois Register*, in Docket No. 13-0592 with:

ILLINOIS COMMERCE COMMISSION

NOTICE OF PROPOSED AMENDMENT

Chief Clerk
Illinois Commerce Commission
527 East Capitol Avenue
Springfield, IL 62701

217/782-7434

- 13) Initial Regulatory Flexibility Analysis:
- C) Types of small businesses, small municipalities and not-for-profit corporations affected: This rulemaking will affect any subject jurisdictional entities that are also small businesses as defined in the Illinois Administrative Procedure Act. This rulemaking will not affect any small municipalities or not-for-profit corporations.
 - B) Reporting, bookkeeping or other procedures required for compliance:
Bookkeeping and filing procedures
 - C) Types of professional skills necessary for compliance: Managerial and accounting skills
- 14) Regulatory Agenda on which this rulemaking was summarized: This rulemaking was not included on either of the two most recent agendas because: The Commission did not anticipate the need for this rulemaking when the most recent Agenda was published.

The full text of the Proposed Amendment begins on the next page:

ILLINOIS COMMERCE COMMISSION

NOTICE OF PROPOSED AMENDMENT

TITLE 83: PUBLIC UTILITIES
CHAPTER I: ILLINOIS COMMERCE COMMISSION
SUBCHAPTER f: TELEPHONE UTILITIESPART 732
CUSTOMER CREDITS

Section

732.5	Application of Part
732.10	Definitions
732.20	Local Exchange Service Obligations
732.30	Customer Credits
732.35	ILEC-CLEC Reimbursement Mechanism
732.40	Filing of Tariffs
732.50	Customer Education
732.60	Reporting

AUTHORITY: Implementing and authorized by Section 13-712 of the Public Utilities Act [220 ILCS 5/13-712].

SOURCE: Emergency rule adopted at 25 Ill. Reg. 10219, effective August 1, 2001, for a maximum of 150 days; adopted at 26 Ill. Reg. 334, effective December 28, 2001; amended at 26 Ill. Reg. 10465, effective July 1, 2002; amended at 27 Ill. Reg. 18405, effective December 1, 2003; amended at 35 Ill. Reg. 6334, effective April 1, 2011; amended at 36 Ill. Reg. 15013, effective October 1, 2012; amended at 38 Ill. Reg. _____, effective _____.

Section 732.5 Application of Part

This Part shall apply to all telecommunications carriers providing basic local exchange service as defined in Section 13-712 of the Public Utilities Act, except that this Part is not applicable to:

- a) telephone cooperatives as defined in Section 13-212 of the Act, pursuant to Section 13-701 of the Act; ~~and is not applicable to~~
- b) Electing Providers as defined in Section 13-506.2(a)(1) of the Act; and
- c) local exchange telecommunications service as defined in Section 13-204 of the Act, and classified as competitive pursuant to either Section 13-502 or Section 13-506.2(c)(5) of the Act.

ILLINOIS COMMERCE COMMISSION

NOTICE OF PROPOSED AMENDMENT

(Source: Amended at 38 Ill. Reg. _____, effective _____)

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: Private Detective, Private Alarm, Private Security, Fingerprint Vendor, and Locksmith Act of 2004
- 2) Code Citation: 68 Ill. Adm. Code 1240
- 3)

<u>Section Numbers:</u>	<u>Proposed Action:</u>
1240.10	Amend
1240.100	Amend
1240.200	Amend
1240.300	Amend
1240.400	Amend
1240.515	Amend
1240.520	Amend
1240.530	Amend
1240.535	Amend
1240.555	Repeal
- 4) Statutory Authority: Implementing the Private Detective, Private Alarm, Private Security, Fingerprint Vendor, and Locksmith Act of 2004 [225 ILCS 447] and authorized by Sections 2105-15(7) and 2105-100(b) of the Civil Administrative Code of Illinois [20 ILCS 2105/2105-15(7) and 2105-100(b)]
- 5) A Complete Description of the Subjects and Issues Involved: These proposed amendments will implement the recent changes made to the Act by PA-98-253, effective August 9, 2013. They will also add clarifying language due to passage of the Firearm Concealed Carry Act, PA 98-63, effective July 9, 2013; and will add language requested by the Illinois State Police to clarify that driver's licenses or Secretary of State issued State identification cards relied upon by fingerprint vendors must be valid at the time of presentment; and make certain other technical or clean-up changes.
- 6) Published studies or reports, and sources of underlying data, used to compose this rulemaking: None
- 7) Will this rulemaking replace any emergency rulemaking currently in effect? No
- 8) Does this rulemaking contain an automatic repeal date? No
- 9) Does this rulemaking contain incorporations by reference? No

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENTS

- 10) Are there any other proposed rulemakings pending on this Part? No
- 11) Statement of Statewide Policy Objectives: This rulemaking will not require a local government to establish, expand or modify its activities in such a way as to necessitate additional expenditures from local revenues.
- 12) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Persons who wish to comment on this proposed rulemaking may submit written comments no later than 45 days after the publication of this Notice to:

Craig Cellini
Department of Financial and Professional Regulation
320 West Washington, 3rd Floor
Springfield, IL 62786

217/785-0813
Fax: 217/557-4451

All written comments received within 45 days after this issue of the *Illinois Register* will be considered.

- 13) Initial Regulatory Flexibility Analysis:
- A) Types of small businesses, small municipalities and not-for-profit corporations affected: Private detectives, security contractors, alarm contractors, locksmiths, fingerprint vendors, canine handlers/trainers and agencies and employees regulated under the Act will be affected.
- B) Reporting, bookkeeping or other procedures required for compliance: Please see the new and revised requirements that follow in the proposed amendments to this Part.
- C) Types of professional skills necessary for compliance: Training and/or experience in various security or other related areas are necessary for licensure.
- 14) Regulatory Agenda on which this rulemaking was summarized: July 2013

The full text of the Proposed Amendments begins on the next page:

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENTS

TITLE 68: PROFESSIONS AND OCCUPATIONS

CHAPTER VII: DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

SUBCHAPTER b: PROFESSIONS AND OCCUPATIONS

PART 1240

PRIVATE DETECTIVE, PRIVATE ALARM,
PRIVATE SECURITY, FINGERPRINT VENDOR, AND LOCKSMITH ACT OF 2004

SUBPART A: PRIVATE DETECTIVE

Section

- 1240.10 Application for Examination and Licensure – Private Detective
- 1240.20 Application for Licensure – Private Detective Agency

SUBPART B: PRIVATE ALARM

Section

- 1240.100 Application for Examination and Licensure – Private Alarm Contractor
- 1240.110 Application for Licensure – Private Alarm Contractor Agency

SUBPART C: PRIVATE SECURITY

Section

- 1240.200 Application for Examination and Licensure – Private Security Contractor
- 1240.210 Application for Licensure – Private Security Contractor Agency

SUBPART D: LOCKSMITH

Section

- 1240.300 Application for Examination and Licensure – Locksmith
- 1240.310 20-Hour Basic Training Course – Locksmith
- 1240.320 Recordkeeping Requirements – Locksmith (Repealed)
- 1240.330 Application for Licensure – Locksmith Agency

SUBPART E: PROPRIETARY SECURITY FORCE

Section

- 1240.400 Registration of Proprietary Security Force

SUBPART F: GENERAL

Section

- 1240.500 Definitions
- 1240.501 Licensee-in-charge

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENTS

- 1240.502 Application for Branch Office License
- 1240.505 20-Hour Basic Training Course – Private Detective, Private Alarm Contractor, Private Security Contractor and Proprietary Security Force Employee
- 1240.510 Firearm Training Course
- 1240.515 Approval of Firearm Training Programs and Firearm Instructors
- 1240.520 Permanent Employee Registration Card
- 1240.525 Refusal to Issue Employee Registration Card or Firearm Control Card Due to Criminal History Record Information
- 1240.530 Firearm Control Cards
- 1240.535 Recordkeeping Requirements
- 1240.540 Reporting Requirements
- 1240.550 Renewals
- 1240.555 Endorsement (Repealed)
- 1240.560 Restoration
- 1240.561 Inactive Status
- 1240.565 Requests for Duplicate Certificates
- 1240.570 Fees
- 1240.575 Conduct of Hearings
- 1240.580 Investigation by the Division
- 1240.585 Granting Variances

SUBPART G: FINGERPRINT VENDOR

- 1240.600 Application for Licensure – Fingerprint Vendor
- 1240.610 Licensure – Fingerprint Vendor Agency
- 1240.620 Fingerprint Vendor – Standards, Unethical, Unauthorized, or Unprofessional Conduct
- 1240.630 Fingerprint Vendor – Training

SUBPART H: CANINE HANDLER

- 1240.700 Canine Handler Training Course Requirements
- 1240.710 Canine Handler Authorization Card
- 1240.720 Canine Handler Training Program
- 1240.730 Canine Trainer Authorization Card
- 1240.740 Canine Handler and Canine Training Instructor – Unprofessional Conduct

AUTHORITY: Implementing the Private Detective, Private Alarm, Private Security, Fingerprint Vendor, and Locksmith Act of 2004 [225 ILCS 447] and authorized by Sections 2105-15(7) and

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENTS

2105-100(b) of the Civil Administrative Code of Illinois [20 ILCS 2105/2105-15(7) and 2105-100(b)].

SOURCE: Rules and Regulations Promulgated for the Administration of the Illinois Detective Act, effective October 7, 1975; amended at 4 Ill. Reg. 22, p. 251, effective May 15, 1980; codified at 5 Ill. Reg. 11032; emergency amendment at 6 Ill. Reg. 916, effective January 6, 1982, for a maximum of 150 days; amended at 6 Ill. Reg. 7448, effective June 15, 1982; amended at 6 Ill. Reg. 8208, effective July 15, 1982; emergency amendment at 8 Ill. Reg. 903, effective January 6, 1984, for a maximum of 150 days; Part repealed and new Part adopted at 9 Ill. Reg. 18512, effective November 15, 1985; transferred from Chapter I, 68 Ill. Adm. Code 240 (Department of Registration and Education) to Chapter VII, 68 Ill. Adm. Code 1240 (Department of Professional Regulation) pursuant to P.A. 85-225, effective January 1, 1988, at 12 Ill. Reg. 2967; amended at 12 Ill. Reg. 20143, effective November 18, 1988; amended at 15 Ill. Reg. 3051, effective February 11, 1991; amended at 17 Ill. Reg. 1579, effective January 26, 1993; amended at 19 Ill. Reg. 954, effective January 17, 1995; amended at 19 Ill. Reg. 11473, effective July 28, 1995; emergency amendment at 19 Ill. Reg. 13460, effective September 8, 1995, for a maximum of 150 days; amended at 20 Ill. Reg. 3191, effective February 2, 1996; emergency amendment at 20 Ill. Reg. 14924, effective October 31, 1996, for a maximum of 150 days; amended at 21 Ill. Reg. 3135, effective March 4, 1997; amended at 24 Ill. Reg. 587, effective December 31, 1999; emergency amendment at 27 Ill. Reg. 1307, effective January 13, 2003, for a maximum of 150 days; emergency expired June 11, 2003; amended at 27 Ill. Reg. 9587, effective June 13, 2003; old Part repealed, new Part adopted at 28 Ill. Reg. 16209, effective December 2, 2004; amended at 36 Ill. Reg. 1486, effective February 3, 2012; amended at 36 Ill. Reg. 9938, effective July 13, 2012; amended at 38 Ill. Reg. _____, effective _____.

SUBPART A: PRIVATE DETECTIVE

Section 1240.10 Application for Examination and Licensure – Private Detective

- a) Applications for licensure by examination, together with all supporting documentation, including verification of work experience, must be on file at least 60 days prior to the date of the examination.
- b) No candidate shall be admitted to the examination until having fulfilled the experience and/or education requirements specified in Section 15-10(a)(6) of the Act. To determine such fulfillment, the following standards shall be applied:

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NOTICE OF PROPOSED AMENDMENTS

- 1) The term "year" shall be 12 months with an average of at least 20 work days per month during which the applicant was engaged in full-time employment equal to 1500 hours or more annually.
- 2) "Full-time investigator in a law enforcement agency" shall mean a sworn peace officer, as defined in Section 5-10 of the Act, who serves in the capacity of a full-time detective/investigator or above rank.
- c) The passing grade on the examination is 70 or above.
- d) Upon notification of successful completion of the examination, the applicant may apply to the Department of Financial and Professional Regulation-Division of Professional Regulation (Division) for licensure. The application must be complete and must be accompanied by:
 - 1) One of the following:
 - A) Copy of the verification of fingerprint processing from ISP or from one of the ISP live scan vendors whose equipment has been certified by ISP or a fingerprint vendor agency licensed by the Division;
 - B) Out-of-state residents unable to utilize the ISP electronic fingerprint process may submit to ISP one fingerprint card issued by ISP, accompanied by the fee specified by ISP; or
 - C) In lieu of fingerprints, verification, on forms provided by the Division, of proof of retirement as a peace officer, as defined in Section 5-10 of the Act, within 12 months prior to application in lieu of fingerprints. The verification shall be signed by the applicant's employer;
 - 2) Proof of at least \$1,000,000 of general liability insurance held by the applicant as evidenced by a certificate of insurance from the insurer; and
 - 3) The required fees specified in Section 1240.570.
- e) A successful examination score shall be valid for 36 years. After 36 years the examination score will be void and an applicant will be required to file a new

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENTS

application, meeting the requirements at the time of the new application, and will be required to sit for and pass the examination.

- f) In addition to any other requirements, an applicant for licensure shall meet the following:
- 1) Has not been convicted of any felony in any jurisdiction or at least 10 years have lapsed since the time of full discharge from a sentence imposed for a felony conviction;
 - 2) Is of good moral character. Good moral character is a continuing requirement of licensure. Conviction of crimes other than felonies may be used in determining moral character, but shall not constitute an absolute bar to licensure, except when the applicant is a registered sex offender;
 - 3) Has not been declared by any court of competent jurisdiction to be incompetent by reason of mental or physical defect or disease, unless a court has subsequently declared the applicant to be competent;
 - 4) Is not suffering from dependence on alcohol or from narcotic addiction or dependence;
 - 5) Has not been dishonorably discharged from the armed forces of the United States;
 - 6) Submits his or her fingerprints, in accordance with the provisions of the Act and this Part, including but not limited to the payment of any required fees;
 - 7) Has not violated any provision of the Act or this Part.
- g) For applicants utilizing the experience referenced in Section 15-10(c) where proof of canine odor detection services for hire since January 1, 2005 is required, at least the following shall be included:
- 1) Certified copies of a minimum of three canine odor detection services contracts prior January 1, 2005.

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

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- 2) A completed VE-DET form to document the work experience in canine odor detection services since January 1, 2005.

(Source: Amended at 38 Ill. Reg. _____, effective _____)

SUBPART B: PRIVATE ALARM

Section 1240.100 Application for Examination and Licensure – Private Alarm Contractor

- a) Application for licensure by examination, together with all supporting documentation, including verification of work experience, must be on file at least 60 days prior to the date of examination.
- b) No candidate shall be admitted to the examination until having fulfilled the experience and/or education requirements specified in Section 20-10(a)(6) of the Act. To determine such fulfillment, the term "year" shall be 12 months with an average of at least 20 work days per month during which the applicant was engaged in full-time employment equal to 1500 hours or more annually.
- c) The passing score on the examination is 70 or above.
- d) Upon notification of successful completion of the examination, the applicant may apply to the Division for licensure. The application shall include:
 - 1) One of the following:
 - A) Copy of the verification of fingerprint processing from ISP or from one of the ISP live scan vendors whose equipment has been certified by ISP or a fingerprint vendor agency licensed by the Division;
 - B) Out-of-state residents unable to utilize the ISP electronic fingerprint process may submit to ISP one fingerprint card issued by ISP, accompanied by the fee specified by ISP; or
 - C) In lieu of fingerprints, verification, on forms provided by the Division, of proof of retirement as a peace officer, as defined in Section 5-10 of the Act, within 12 months prior to application. The verification shall be signed by the applicant's employer;

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENTS

- 2) Proof of at least \$1,000,000 of general liability insurance held by the applicant as evidenced by a certificate of insurance from the insurer; and
 - 3) The required fees specified in Section 1240.570.
- e) A successful examination score shall be valid for 36 years. After 36 years the examination score will be void and an applicant will be required to file a new application, meeting the requirements at the time of the new application, and will be required to sit for and pass the examination.
- f) In addition to any other requirements, an applicant for licensure shall meet the following:
- 1) Has not been convicted of any felony in any jurisdiction or at least 10 years have lapsed since the time of full discharge from a sentence imposed for a felony conviction;
 - 2) Is of good moral character. Good moral character is a continuing requirement of licensure. Conviction of crimes other than felonies may be used in determining moral character, but shall not constitute an absolute bar to licensure, except when the applicant is a registered sex offender;
 - 3) Has not been declared by any court of competent jurisdiction to be incompetent by reason of mental or physical defect or disease, unless a court has subsequently declared the applicant to be competent;
 - 4) Is not suffering from dependence on alcohol or from narcotic addiction or dependence;
 - 5) Has not been dishonorably discharged from the armed forces of the United States;
 - 6) Submits his or her fingerprints, in accordance with the provisions of the Act and this Part, including but not limited to the payment of any required fees;
 - 7) Has not violated any provision of the Act or this Part.

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

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(Source: Amended at 38 Ill. Reg. _____, effective _____)

SUBPART C: PRIVATE SECURITY

Section 1240.200 Application for Examination and Licensure – Private Security Contractor

- a) Applications for licensure by examination, together with all supporting documentation, including verification of work experience, must be on file at least 60 days prior to the date of the examination.
- b) No candidate shall be admitted to the examination until having fulfilled the experience and/or education requirements specified in Section 25-10(a)(6) of the Act. To determine such fulfillment, the following standards shall be applied:
 - 1) The term "year" shall be 12 months with an average of at least 20 work days per month during which the applicant was engaged in full-time employment equal to 1500 hours or more annually.
 - 2) "Full-time supervisor in a law enforcement agency" shall mean a sworn peace officer serving in a full-time position responsible for the direction and performance of other law enforcement personnel.
- c) The passing grade on the examination is 70 or above.
- d) Upon notification of successful completion of the examination, the applicant may apply to the Division for licensure. The application must be complete and must be accompanied by:
 - 1) One of the following:
 - A) Copy of the verification of electronic fingerprint processing from ISP or from one of the ISP live scan vendors whose equipment has been certified by ISP or a fingerprint vendor agency licensed by the Division;
 - B) Out-of-state residents unable to utilize the ISP fingerprint process may submit to ISP one fingerprint card issued by ISP, accompanied by the fee specified by ISP; or

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- C) In lieu of fingerprints, verification, on forms provided by the Division, of proof of retirement as a peace officer, as defined in Section 5-10 of the Act, within 12 months prior to application. The verification shall be signed by the applicant's employer;
 - 2) Proof of at least \$1,000,000 of general liability insurance held by the applicant as evidenced by a certificate of insurance from the insurer; and
 - 3) The required fees specified in Section 1240.570.
- e) A successful examination score shall be valid for 36 years. After 36 years the examination score will be void and an applicant will be required to file a new application, meeting the requirements at the time of the new application, and will be required to sit for and pass the examination.
- f) In addition to any other requirements, an applicant for licensure shall meet the following:
- 1) Has not been convicted of any felony in any jurisdiction or at least 10 years have lapsed since the time of full discharge from a sentence imposed for a felony conviction;
 - 2) Is of good moral character. Good moral character is a continuing requirement of licensure. Conviction of crimes other than felonies may be used in determining moral character, but shall not constitute an absolute bar to licensure, except when the applicant is a registered sex offender;
 - 3) Has not been declared by any court of competent jurisdiction to be incompetent by reason of mental or physical defect or disease, unless a court has subsequently declared the applicant to be competent;
 - 4) Is not suffering from dependence on alcohol or from narcotic addiction or dependence;
 - 5) Has not been dishonorably discharged from the armed forces of the United States;

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- 6) Submits his or her fingerprints, in accordance with the provisions of the Act and this Part, including but not limited to the payment of any required fees;
- 7) Has not violated any provision of the Act or this Part.
- g) For applicants utilizing the experience referenced in Section 25-10(c) where proof of canine odor detection services for hire since January 1, 2005 is required, at least the following shall be included:
 - 1) Certified copies of a minimum of three canine odor detection services contracts prior January 1, 2005.
 - 2) A completed VE-DET form to document the work experience in canine odor detection services since January 1, 2005.

(Source: Amended at 38 Ill. Reg. _____, effective _____)

SUBPART D: LOCKSMITH

Section 1240.300 Application for Examination and Licensure – Locksmith

- a) An individual seeking licensure by examination as a locksmith shall make application to the Division, on forms provided by the Division, at least 60 days prior to the examination. The application form shall include questions necessary for the Division to establish that the applicant meets the qualifications for licensure specified in Section 30-10 of the Act.
- b) The passing score on the examination is 70 or above.
- c) Upon notification of successful completion of the examination, the applicant may apply to the Division for licensure. The application shall include:
 - 1) One of the following:
 - A) Copy of the verification of fingerprint processing from ISP or one of the ISP live scan vendors whose equipment has been certified by ISP or a fingerprint vendor agency licensed by the Division;

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- B) Out-of-state residents unable to utilize the ISP fingerprint process may submit to ISP one fingerprint card issued by ISP, accompanied by the fee specified by the vendor; or
 - C) In lieu of fingerprints, verification, on forms provided by the Division, of proof of retirement as a peace officer, as defined in Section 5-10 of the Act, within 12 months prior to application. The verification shall be signed by the applicant's employer;
- 2) Proof of at least \$1,000,000 of general liability insurance held by the applicant as evidenced by a certificate of insurance from the insurer; and
 - 3) The required fees specified in Section 1240.570.
- | d) A successful examination score shall be valid for 36 years. After 36 years the examination score will be void and an applicant will be required to file a new application, meeting the requirements at the time of the new application, and will be required to sit for and pass the examination.
- e) In addition to any other requirements, an applicant for licensure shall meet the following:
- 1) Has not been convicted of any felony in any jurisdiction or at least 10 years have lapsed since the time of full discharge from a sentence imposed for a felony conviction;
 - 2) Is of good moral character. Good moral character is a continuing requirement of licensure. Conviction of crimes other than felonies may be used in determining moral character, but shall not constitute an absolute bar to licensure, except when the applicant is a registered sex offender;
 - 3) Has not been declared by any court of competent jurisdiction to be incompetent by reason of mental or physical defect or disease, unless a court has subsequently declared the applicant to be competent;
 - 4) Is not suffering from dependence on alcohol or from narcotic addiction or dependence;

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- 5) Has not been dishonorably discharged from the armed forces of the United States;
- 6) Submits his or her fingerprints, in accordance with the provisions of the Act and this Part, including but not limited to the payment of any required fees;
- 7) Has not violated any provision of the Act or this Part.

(Source: Amended at 38 Ill. Reg. _____, effective _____)

SUBPART E: PROPRIETARY SECURITY FORCE

Section 1240.400 Registration of Proprietary Security Force

- a) Pursuant to Section 35-45 of the Act and Section 24-2 of the Criminal Code of 1961 [720 ILCS 5/24-2], all commercial or industrial operations who employ 5 or more persons as armed employees in accordance with Section 24-2(a)(6) and all financial institutions who employ armed employees in accordance with Section 24-2(a)(8) shall register their security forces with the Division, on forms provided by the Division, which include the following:
 - 1) Business name and address of the proprietary security force;
 - 2) Any doing business as (d/b/a) names used by the proprietary security force and proof of legal authorization to use that name;
 - 3) The type of business (sole proprietorship, partnership, corporation, etc.).
 - A) If a sole proprietorship, the name and address of the owner;
 - B) If a partnership, a listing of all partners and addresses;
 - C) If a corporation, a copy of Articles of Incorporation, a Certificate of Good Standing issued by the Secretary of State within the previous 60 days, and a listing of all officers and members of the board of directors. If the corporation is a foreign corporation, a copy of the authorization to conduct business in Illinois and a list

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of all officers and members of the board of directors shall be submitted;

- D) If a limited liability company, a copy of the Articles of Organization, a Certificate of Good Standing issued by the Secretary of State within the previous 60 days, and a listing of all officers and members of the board of directors;
 - 4) The nature or type of business conducted or to be conducted;
 - 5) The number of armed employees; and
 - 6) The name and title of the security director who will be registering armed employees and who is responsible for the daily activities of the force.
- b) For the purposes of this Section, "armed employee" means an employee whose primary employment responsibility is one or more of the functions of a private security contractor as defined in Section 5-10 of the Act.
 - c) All armed employees of the registered proprietary security force in subsection (a) shall be required to complete a 20-hour basic training course in accordance with Section 1240.505 and a 20-hour firearm training course in accordance with Section 1240.510.
 - d) Each proprietary force shall be required to apply to the Division, on forms supplied by the Division, for the issuance of a firearm control card, in accordance with Section 1240.530(b) and (c), for each armed employee of the security force. Each application shall include:
 - 1) One of the following:
 - A) Copy of the verification of fingerprint processing from ISP or from one of the ISP live scan vendors whose equipment has been certified by ISP or a fingerprint vendor agency licensed by the Division;
 - B) Out-of-state residents unable to utilize the ISP electronic fingerprint process may submit to ISP one fingerprint card issued by ISP, accompanied by the fee specified by ISP; or

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- C) In lieu of fingerprints, verification, on forms provided by the Division, of proof of retirement as a peace officer, as defined in Section 5-10 of the Act, within 12 months prior to application. The verification shall be signed by the applicant's employer;
- 2) Verification that the employee has completed the training required in subsection (c). If the employee's firearm training was completed more than two years before the request for a firearm control card, the employer shall submit evidence that the employee has requalified on the firing range within the one year preceding the request; and
- 3) The fee required in Section 1240.570.
- e) The firearm control card shall be retained by the employee for the term of employment. Upon termination of employment, the card shall be returned to the Division by the employer. In the event an employee fails to return a firearm control card to the employer, the employer shall notify the Division in writing why the card was not returned.
- f) No employee shall carry a firearm until the requirements of this Section have been satisfied.
- g) If an employee is employed by more than one proprietary security force, that employee must possess a separate firearm control card for each proprietary security force for which he or she uses, carries, or possesses a firearm.
- h) The Division may conduct an inspection to verify the information on the application prior to the proprietary security force being registered or renewed with the Division.
- i) All proprietary security force registrations and renewals shall expire on the date specified in the registration or last renewal. The Division shall renew the registration after payment of the renewal fee and upon proof that:
 - 1) The proprietary security force still meets all requirements for registration under the Act and this Part; and

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- 2) The proprietary security force has either updated or reaffirmed all required information on file with the Division.
- j) All armored car companies registered as proprietary security forces pursuant to this Section shall have all employees who are required to carry a firearm control card complete classroom and range training in weapons on an annual basis and shall maintain a copy of the verification of fingerprint processing from ISP or from one of the ISP live scan vendors. The armored car company shall make these documents available to the Division upon request.
- k) Individuals currently employed as peace officers, as defined in Section 5-10 of the Act, who are in good standing are not required to obtain firearm control cards. If the individual ceases to be employed as a peace officer, then the individual is required to obtain a firearm control card in accordance with this Section. For active peace officers, the proprietary security force shall maintain on file a copy of the current police identification card and a signed letter from the peace officer's chief of police or his/her designee indicating current status as a peace officer. The proprietary security force shall annually re-verify and maintain proof of the employee's qualifications for the peace officer exemption.
- l) Maintaining a security director responsible for the daily activities of the force is a continuing requirement for proprietary security force registration. The Division must be notified within 14 days after any change in name or title of the security director.
- m) When the accuracy, relevance or sufficiency of any submitted documentation or information is questioned by the Division because of lack of information, discrepancies or conflicts in information given, or a need for clarification, the applicant seeking registration shall be requested to:
 - 1) Provide information as may be necessary; and/or
 - 2) Appear for an interview before the Board to explain the accuracy, relevance or sufficiency of any submitted documentation or information or lack of information, discrepancies or conflicts in information given.
- n) *Commercial or industrial operations that employ fewer than 5 persons as armed employees may register their security forces with the Department on forms*

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provided by the Department. Registration subjects the security force to all of the requirements of this Section. (Section 35-45(a-1) of the Act)

(Source: Amended at 38 Ill. Reg. _____, effective _____)

SUBPART F: GENERAL

Section 1240.515 Approval of Firearm Training Programs and Firearm Instructors

- a) Any person, business entity, agency, or institution offering the training courses described in Section 1240.505 of this Part shall first apply to and receive approval of the course, based upon compliance with Section 1240.510, from the Division. Application shall be made on forms provided by the Division and accompanied by the required application fee.
- b) Any person teaching the firearms training course described in Section 1240.510 of this Part must be approved by the Division. Application for approval shall be on forms provided by the Division and must be accompanied by the required application fee, a current photograph of the applicant, a photocopy of the applicant's valid Firearm Owners Identification Card, which is a continuing requirement of registration, and:
 - 1) Proof that the applicant is recognized and approved by the National Rifle Association (NRA) having taken a Law Enforcement Firearms Instructor Course that includes Security Personnel within the course. Proof shall be a copy of the applicant's Certificate from the NRA; or
 - 2) Proof that the applicant is approved and recognized as a range instructor by the Illinois Police Training Board. Proof shall be a copy of the Instructor's Certificate issued by the Law Enforcement Training and Standards Board. Nothing in this subsection (b)(2) shall obligate the Police Training Board to train, recognize or approve range instructors for any purpose other than as specified in the Illinois Police Training Act [50 ILCS 705] and Peace Officers Firearm Training Act [50 ILCS 710]; or
 - 3) Proof of other firearm instructor education or experience that the Division may consider to be substantially equivalent to subsection (b)(1) or (2), such as experience or education received in military service or federal law enforcement service.

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- c) Upon application to the Division, any full-time or part-time faculty employed by an institution under the jurisdiction of the Illinois Board of Higher Education and/or the Illinois Community College Board to teach a firearms training course or security training course shall be approved as satisfying the requirements of this Section.
- d) Any firearm training program approved by the Law Enforcement Training and Standards Board shall be approved as satisfying the requirements of this Section.
- e) All approvals of firearm instructors shall expire on December 31, 2012 and then every five years thereafter. Failure to apply for and receive renewal of approval by that date shall cause the Division's previously granted approval to expire. The approval may be renewed by the firearm instructor by making application for renewal on forms provided by the Division and accompanied by the required renewal fee and an affirmation by the firearm instructor that the certification or other qualifying basis on which the Division originally granted approval remains current or in effect.
- f) In addition to any other requirements, an applicant for approval as a firearm instructor shall meet the following:
 - 1) Has not been convicted of any felony in any jurisdiction or at least 10 years have lapsed since the time of full discharge from a sentence imposed for a felony conviction;
 - 2) Is of good moral character. Good moral character is a continuing requirement of licensure. Conviction of crimes other than felonies may be used in determining moral character, but shall not constitute an absolute bar to licensure, except when the applicant is a registered sex offender;
 - 3) Has not been declared by any court of competent jurisdiction to be incompetent by reason of mental or physical defect or disease, unless a court has subsequently declared the applicant to be competent;
 - 4) Is not suffering from dependence on alcohol or from narcotic addiction or dependence;

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- 5) Has not been dishonorably discharged from the armed forces of the United States;
- 6) Has not violated any provision of the Act or this Part.

(Source: Amended at 38 Ill. Reg. _____, effective _____)

Section 1240.520 Permanent Employee Registration Card

- a) Any person seeking employee registration under Section 35-30 of the Act shall file an application with the Division, on forms provided by the Division, along with the following:
 - 1) One of the following:
 - A) Copy of the verification of fingerprint processing from ISP or from one of the ISP live scan vendors whose equipment has been certified by ISP or a fingerprint vendor agency licensed by the Division;
 - B) Out-of-state residents unable to utilize the ISP electronic fingerprint process may submit to ISP one fingerprint card issued by ISP, accompanied by the fee specified by ISP; or
 - C) In lieu of fingerprints, verification, on forms provided by the Division, of proof of retirement as a peace officer, as defined in Section 5-10 of the Act, within 12 months prior to application. The verification shall be signed by the applicant's employer;
 - 2) The required registration fee specified in Section 1240.570.
- b) An agency may employ an applicant in a temporary capacity in accordance with Section 35-30(k) of the Act by:
 - 1) submitting the required application in accordance with subsection (a) on behalf of the person or verifying with the Division that an application has been submitted for the individual;

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- 2) verifying on the Division's website (www.idfpr.com) that the applicant has no criminal conviction pursuant to the ISP criminal history check;
 - 3) maintaining a separate roster of the names of all employees whose applications are pending; and
 - 4) meeting any other requirements set forth in this Part or the Act.
- c) If no record is found relating to the fingerprints and the applicant is otherwise qualified under the Act, the Division shall issue to the applicant a permanent employee registration card that shall be valid for the period specified on the face of the card and shall be renewable upon the conditions set forth in Section 1240.550 of this Part.
- d) A valid permanent employee registration card shall serve as proof to an employer that the bearer is eligible for employment.
- e) Exempt employees are as follows:
- 1) Private Detective. Persons who have no access to confidential or detective related information and who otherwise do not provide traditional detective related services are exempt from employee registration. Examples of exempt employees include reception personnel. Confidential or detective related information is that which pertains to employee files, scheduling, client contracts or technical data.
 - 2) Private Alarm Contractor. Persons who have no access to confidential or alarm related information and who otherwise do not provide traditional alarm related services are exempt from employee registration. Examples of exempt employees include, but are not limited to, employees working in the capacity of reception personnel. Confidential or security information is that which pertains to employee files, scheduling, client contracts or technical alarm data.
 - 3) Private Security Contractor. Persons who have no access to confidential or security information and who otherwise do not provide traditional security services are exempt from employee registration. Examples of exempt employees include, but are not limited to, employees working in the capacity of ticket takers, cashiers, drivers, ushers and reception

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personnel. Confidential or security information is that which pertains to employee files, scheduling, client contracts or technical security data.

- 4) Locksmith. *Persons who have no access to confidential or security information and who otherwise do not provide traditional locksmith services, as defined in this Act, are exempt from employee registration. Examples of exempt employees include, but are not limited to, employees working in the capacity of key cutters, cashiers, drivers, and reception personnel. Confidential or security information is that which pertains to employee files, scheduling, client contracts, master key charts, access codes, or technical security and alarm data.* (Section 30-5(10) of the Act)
- 5) Fingerprint Vendor
 - A) Persons who have no access to confidential or security information and who otherwise do not provide or operate fingerprint equipment or other equipment designed to obtain fingerprint images for the purpose of providing fingerprint images and associated demographic data to ISP are exempt from employee registration. Examples of exempt employees include, but are not limited to, employees working in the capacity of cashiers, ushers and reception personnel. Confidential or security information is that which pertains to employee files, scheduling, client contracts or technical security data.
 - B) *No registered employee of a licensed fingerprint vendor agency may operate live scan fingerprint equipment or other equipment designed to obtain fingerprint images for the purpose of providing fingerprint images and associated demographic data to ISP.* (Section 31-20(d) of the Act)
- 6) Individuals currently employed as peace officers, as defined in Section 5-10 of the Act, who are in good standing are not required to obtain permanent employee registration cards. If the individual ceases to be employed as a peace officer, then the agency is required to obtain a permanent employee registration card in accordance with this Section.
- 7) All employees of any agency licensed under the Act who reside outside of Illinois and who perform no duties in Illinois.

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- 8) Clerical or administrative personnel who do not perform services for clients but prepare or assist in the preparation of reports, memoranda, correspondence or other documents or records that contain confidential information are not exempt from employee registration.

f) A registered employee of a private detective agency shall not hold himself or herself out as a private detective or use the title "private detective", but may use the title "private investigator" provided that he or she reports the name of the private detective agency that employs him or her.

(Source: Amended at 38 Ill. Reg. _____, effective _____)

Section 1240.530 Firearm Control Cards

- a) Each employer shall make a request to the Division, on forms supplied by the Division, for the issuance of a firearm control card for each licensee or employee whose duties include the use, carrying or possession of a firearm. Each employee shall have an active permanent employee registration card issued in accordance with Section 1240.520 prior to applying for a firearm control card unless employed by a proprietary security force in accordance with Section 1240.400.
- b) Upon verification by the Division that the individual licensees or employees have completed the required firearm training course within the 2 years preceding the request for a firearm control card, and meet all the requirements of the Act for issuance of a firearm control card, the Division shall issue a card to the employer for each licensee or employee. If the licensee's or employee's firearm training was completed more than 2 years before the request for a firearm control card, the employer shall submit evidence that the licensee or employee has requalified on the firing range within one year preceding the request.
- c) The firearm control card shall be retained by the licensee or employee for the term of employment. Upon termination of employment, the card shall be returned to the Division by the employer. In the event a licensee or an employee fails to return a firearm control card to the employer, the employer shall notify the Division in writing of the failure and the reason why the card was not returned.
- d) No licensee or employee may carry a firearm until the requirements of this Section have been satisfied. A licensee or employee who has been issued a license

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to carry a concealed firearm under the Firearm Concealed Carry Act [430 ILCS 66] is not exempt from compliance with the requirements of this Section. An armed licensee or employee shall be in possession of a valid firearm control card or otherwise be in compliance with this Section at all times that he or she is engaged in employment related duties.

- e) If ~~a licensee or~~ an employee is employed by more than one agency, regardless of whether the agencies are owned or operated by the same person or different persons, that licensee or employee must possess a separate firearm control card for each agency.
- f) Individuals employed as peace officers, as defined in Section 5-10 of the Act, who are in good standing are not required to obtain firearm control cards. If the individual ceases to be employed as a peace officer, then the individual is required to obtain a firearm control card in accordance with this Section.
- g) A person licensed as a fingerprint vendor or any employee of a licensed fingerprint vendor agency may not possess or carry a firearm in the course of providing fingerprinting services. This subsection shall not apply to an active duty sworn peace officer acting within the scope of his or her duties.
- h) The Division shall not grant or authorize the issuance of a firearm control card to a fingerprint vendor or any employee of a licensed fingerprint vendor agency unless:
 - 1) the individual is licensed as a private detective, private alarm contractor or private security contractor; or
 - 2) the individual is employed by a private detective agency, private alarm contractor agency or private security agency licensed under the Act who carries a weapon while engaged in the performance of his or her official duties providing detective, private security contracting or alarm contractor services within the course and scope of his or her employment during the hours and times the employee is scheduled to work or is commuting between his or her home or place of employment, provided that ~~commuting is accomplished within one hour from departure from home or place of employment and~~ the individual is not providing fingerprinting services while possessing or carrying a firearm; or

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- 3) the person is employed by an armed proprietary security force registered under this Act who carries a weapon while engaged in the performance of his or her official duties within the course and scope of his or her employment during the hours and times the employee is scheduled to work or is commuting between his or her home or place of employment, provided that ~~commuting is accomplished within one hour from departure from home or place of employment and~~ the individual is not providing fingerprinting services.

(Source: Amended at 38 Ill. Reg. _____, effective _____)

Section 1240.535 Recordkeeping Requirements

- a) Each employer licensed under the Act shall maintain a file on each employee pursuant to Section 35-30 of the Act. The employee file shall be maintained by the agency for 5 years after termination of the employee, shall be accessible to duly authorized representatives of the Division with 24 hours prior notice (72 hours notice for files more than 2 years old), and shall contain the following information:
 - 1) A photograph of the employee taken within 10 days after the date the employee commences employment. The photo shall be replaced every 3 calendar years;
 - 2) The employee's statement required in Section 35-30(b) of the Act;
 - 3) All correspondence or documents related to the character and integrity of the employee received by the employer from an official source or law enforcement;
 - 4) The employee identification card of a terminated employee pursuant to Section 35-30(h);
 - 5) A copy of the weapons discharge report, if applicable, during the course of the employee's duties or activities;
 - 6) Application for employment;

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- 7) Certification of Completion of Basic Training and/or refresher training courses as provided in Section 1240.505 of this Part;
 - 8) Certificate of Firearm Training, if applicable (or notarized copy as provided in Section 1240.510 of this Part) verified by the licensee in charge;
 - 9) Copy of employee's permanent employee registration card and firearm control card and active Firearm Owner's Identification Card (FOID), if applicable;
 - 10) Certification or certified copy of requalification (Section 1240.510);
 - 11) Copy of employee's certification of completion of canine handler training, canine handler authorization card and canine trainer authorization card, if applicable;
 - 12) Copy of the verification of fingerprint processing from ISP or from one of the ISP live scan vendors whose equipment has been certified by ISP or a fingerprint vendor agency licensed by the Division;
 - 13) A copy of the Division's webpage (www.idfpr.com) showing that an applicant has no criminal conviction pursuant to the ISP criminal history check for individuals employed prior to issuance of the permanent employee registration card; and
 - 14) For active peace officers, the agency employee file shall include a copy of the current police identification card and, within 14 days after employment a signed letter from the peace officer's chief of police or his/her designee (or Division verification of employment form) indicating current status as a peace officer, as well as items set forth in subsections (a)(1), (4), (5) and (6). The agency shall annually re-verify and maintain proof of the employee's qualifications for the peace officer exemption.
- b) Private alarm contractors who provide monitoring services shall maintain a separate roster of the names of all licensed agencies and/or individuals, including license number, from whom they accept monitoring contracts or assignments. The roster shall be made available to the Division upon 24 hours notice. It shall be considered unprofessional conduct, subject to discipline by the Division, for a

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licensed alarm contractor or agency to accept monitoring contracts or assignments from an unlicensed entity.

c) Fingerprint Vendors Records

- 1) A fingerprint vendor or fingerprint vendor agency shall document in the form of a work order the date, time and location where each and every fingerprint service is provided;
- 2) The fingerprint vendor shall require each individual seeking to be fingerprinted to present a Primary, Secondary or Requesting Agency authorized form of identification in order to be fingerprinted by the fingerprint vendor. The work order shall describe the form of identification presented by the individual seeking to be fingerprinted.
 - A) Primary Identification – The work order shall include the name, address, date of birth, aliases, telephone number and driver's license number or Secretary of State issued State identification number from a valid driver's license or Secretary of State issued State identification card of the person requesting to be fingerprinted, the signature of that person, and the Transaction Control Number (TCN) for that fingerprint request.
 - B) Secondary Identification – The work order shall include all of the information set forth in subsection (c)(2)(A). In the absence of a driver's license or State identification number, the work order shall contain verification that the individual seeking to be fingerprinted provided at least two forms of identity verification described within the Identity Verification Program Guide (2006) developed and available from the National Crime Prevention and Privacy Compact Council at the Federal Bureau of Investigation's website (<http://www.fbi.gov/about-us/cjis/cc>), no later amendments or editions apply. A copy of the documentation used to establish identity verification shall be attached as part of the work order.
 - C) Requesting Agency Authorized Identification – The work order shall include all of the information set forth in subsection (c)(2)(A). If the individual is unable to provide a driver's license, Secretary of State issued State identification or any identity verification set forth

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in subsection (c)(2)(B), the agency requesting the individual to be fingerprinted must authorize an alternative form of identification to be used to verify the identity of the individual seeking to be fingerprinted. The work order must contain documentation confirming that the requesting agency authorized the use of an alternative form of identification in the absence of a Primary or Secondary form of identity verification. A copy of the requesting agency authorized identity verification documentation shall be attached as part of the work order;

- 3) All work orders shall contain the name and license number of the licensed fingerprint vendor who performed the services;
- 4) If a licensee is employed by more than one fingerprint vendor agency, the employer that the licensed employee is providing fingerprint services for must be identified on the work order by the agency license number;
- 5) All work orders, including fee applicant submissions, shall be maintained for a minimum of two years from the date of printing. The records may be maintained in an electronic format so long as the records cannot be altered. Corrections may be made but must be noted in the record;
- 6) Each fee applicant submission shall contain the originating identifier (ORI) number of the agency requesting the fingerprints;
- 7) Beginning January 1, 2014, all work orders, including fee applicant submissions, must contain a photograph of the individual who was fingerprinted. The photos shall be maintained in an electronic format and shall be forwarded to ISP along with any request for criminal history record information or other information;
- 8) A licensed fingerprint vendor must develop a written policy, made available to the public, establishing a retention schedule and guidelines for permanently destroying identifiers and other biometric information when the initial purpose for collecting or obtaining the identifiers or information has been satisfied or after 3 years from the individual's last interaction with the licensed fingerprint vendor, whichever occurs first. Absent a valid warrant or subpoena issued by a court of competent jurisdiction, a private entity in possession of biometric identifiers or biometric

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information must comply with its established retention schedule and destruction guidelines;

- 9) Work order forms, including fee applicant submissions, required to be kept under this Section shall be available for inspection by the Division or by ISP at the discretion of the Division or ISP, respectively. The Division shall have the right to audit records of a licensed fingerprint vendor to ensure compliance with the Act and this Part;
- 10) A licensed fingerprint vendor shall provide and obtain a signed consent form from the applicant prior to the fingerprinting of any individual fingerprinted for all civil submissions (i.e., passport, adoption and employment related criminal background checks, etc.). The privacy statement within the consent form must be pre-approved by ISP.

(Source: Amended at 38 Ill. Reg. _____, effective _____)

Section 1240.555 Endorsement (Repealed)

- a) ~~An applicant who is licensed under the laws of another jurisdiction shall file an application with the Division, together with:~~
 - 1) ~~A certification from the licensing authority of the jurisdiction stating:~~
 - A) ~~The time during which the applicant was licensed in that jurisdiction;~~
 - B) ~~Whether the file on the applicant contains a record of any disciplinary action taken or pending; and~~
 - C) ~~A brief description of the examination taken and the grades received; and~~
 - 2) ~~A completed Education Certification Form, a completed Verification of Qualifying Experience Form or a completed Work History Form detailing the education and/or experience required by Section 15-10, 20-10, 25-10 or 30-10 of the Act, as applicable; and~~
 - 3) ~~The required fee specified in Section 1240.570.~~

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- b) ~~The Division shall examine each application to determine whether the requirements at the time of licensure in the state where the applicant was licensed were substantially equivalent to the requirements in force in the State of Illinois at that time and the state has similar rules for licensure by endorsement.~~
- e) ~~If the Division questions the documentation provided by the applicant because of discrepancies or conflicts in information, or missing information, or if the Division needs further information to determine substantial equivalence of the applicant's qualifications for licensure, the applicant will be requested to submit further information as the Division deems necessary to make such determination.~~

(Source: Repealed at 38 Ill. Reg. _____, effective _____)

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- 1) Heading of the Part: Emergency Medical Services, Trauma Center, Primary Stroke Center and Emergent Stroke Ready Hospital Code
- 2) Code Citation: 77 Ill. Adm. Code 515
- 3)

<u>Section Numbers:</u>	<u>Proposed Action:</u>
515.150	Amend
515.165	New
515.170	Amend
515.190	Renumbered/Amended
515.430	Repeal
515.460	Amend
515.590	Amend
515.620	Renumbered
515.630	Amend
515.800	Amend
- 4) Statutory Authority: Emergency Medical Services (EMS) Systems Act [210 ILCS 50]
- 5) A Complete Description of the Subjects and Issues Involved: Section 515.150 is being amended to define the length of a waiver approved by the Department. In addition, this Section clarifies the information needed to explain why the applicant is requesting a waiver from the Department. Updates were also made to the U. S. General Services Administration's Specifications for Ambulances.

Section 515.165 is being added to implement PA 96-1469, which expanded the requirements for suspension, revocation and denial of licensure to all licensees, not just EMTs. Public Act 96-1469 also allows the Director, after providing notice and hearing, to deny, suspend or revoke a license or refuse to relicense any EMT-B, EMT or EMT-P if he or she has been convicted (or entered a plea of guilty or nolo-contendere) by a court of a Class X, Class 1 or Class 2 felony in this State or any out-of-state equivalent offense.

Section 515.170 is being amended to implement Public Act 96-1469, which requires employers to verify that the employee possesses a license to perform the service required by the employer.

Section 515.620 is being renumbered as Section 515.190 to include felony conviction requirements under the General Subpart of the rules, since these requirements are for all licenses issued by the Division of EMS and Highway Safety.

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Section 515.430 is being repealed. Suspension, revocation and denial of EMS licensure will be covered in Section 515.165.

Section 515.460 implements portions of PA 98-53 and PA 97-509 that allow the Department to waive fees for an EMT who is a member of the Illinois National Guard, an Illinois State Trooper or exclusively serves as a volunteer for units of local government with a population of less than 5,000 or as a volunteer for a not-for-profit organization that serves a service area with a population base of less than 5,000. First Responders who exclusively serve in those volunteer positions may also apply for fee waivers. The waiver must be applied for and approved by the Department prior to examination, certification or renewal. No fees will be refunded.

Section 515.590 is being amended to implement a portion of Public Act 98-53 that decreases continuing education hours for the EMT-P, EMT-I, Advance EMT and EMT-B. The amendment also allows continuing education (CE) hours to consist of EMS System-approved in-services, Department-recognized college health care courses and online CE courses.

Section 515.630 is being amended to implement a portion of Public Act 98-53 to allow the Department to recognize military emergency medical training, emergency medical curriculum completed, and clinical experience for an honorably discharged member of the United States armed forces when he or she applies for any level of Emergency Medical Technician.

Section 515.800 is being amended to implement Public Act 98-452, which provides for renewal of licensed vehicles operated by Vehicle Service Providers to be every four years (instead of annual renewals). The Act also provides for annual inspection and for a vehicle service provider fee to continue to be charged yearly.

The economic effect of this proposed rulemaking is unknown. Therefore, the Department requests any information that would assist in calculating this effect.

The Department anticipates adoption of this rulemaking approximately six to nine months after publication of the Notice in the *Illinois Register*.

- 6) Published studies or reports, and sources of underlying data, used to compose this rulemaking: None

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- 7) Will this rulemaking replace any emergency rule currently in effect? No
- 8) Does this rulemaking contain an automatic repeal date? No
- 9) Does this rulemaking contain incorporations by reference? No
- 10) Are there any other proposed rulemakings pending on this Part? No
- 11) Statement of Statewide Policy Objectives: This rulemaking does not create or expand a State Mandate.
- 12) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Interested persons may present their comments concerning this rulemaking within 45 days after the publication of this issue of the *Illinois Register* to:
- Susan Meister
Division of Legal Services
Illinois Department of Public Health
535 W. Jefferson St., 5th floor
Springfield, Illinois 62761
- 217/782-2043
e-mail: dph.rules@illinois.gov
- 13) Initial Regulatory Flexibility Analysis:
- A) Types of small businesses, small municipalities and not for profit corporations affected: All EMS service provider agencies with service provider vehicles.
- B) Reporting, bookkeeping or other procedures required for compliance: Ambulance provider agencies will apply for renewal of licensure every four years instead of yearly.
- C) Types of professional skills necessary for compliance: None
- 14) Regulatory Agenda on which this rulemaking was summarized: Section 515.800 was on the July 2012 Regulatory Agenda; all other Sections are not summarized on a Regulatory Agenda as the need for amendments was not apparent when the most recent Agenda was published.

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The full text of the Proposed Amendments begins on the next page:

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NOTICE OF PROPOSED AMENDMENTS

TITLE 77: PUBLIC HEALTH
CHAPTER I: DEPARTMENT OF PUBLIC HEALTH
SUBCHAPTER f: EMERGENCY SERVICES AND HIGHWAY SAFETY

PART 515
EMERGENCY MEDICAL SERVICES, TRAUMA CENTER, PRIMARY STROKE
CENTER AND EMERGENT STROKE READY HOSPITAL CODE

SUBPART A: GENERAL PROVISIONS

- Section
- 515.100 Definitions
- 515.125 Incorporated and Referenced Materials
- 515.150 Waiver Provisions
- 515.160 Facility, System and Equipment Violations, Hearings and Fines
- | [515.165](#) [Suspension, Revocation and Denial of Licensure](#)
- 515.170 Employer Responsibility
- 515.180 Administrative Hearings
- | [515.190](#)~~515.620~~ Felony Convictions

SUBPART B: EMS REGIONS

- Section
- 515.200 Emergency Medical Services Regions
- 515.210 EMS Regional Plan Development
- 515.220 EMS Regional Plan Content
- 515.230 Resolution of Disputes Concerning the EMS Regional Plan
- 515.240 Bioterrorism Grants
- 515.250 Hospital Stroke Care Fund

SUBPART C: EMS SYSTEMS

- Section
- 515.300 Approval of New EMS Systems
- 515.310 Approval and Renewal of EMS Systems
- 515.315 Bypass Status Review
- 515.320 Scope of EMS Service
- 515.330 EMS System Program Plan
- 515.340 EMS Medical Director's Course
- 515.350 Data Collection and Submission

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515.360	Approval of Additional Drugs and Equipment
515.370	Automated Defibrillation (Repealed)
515.380	Do Not Resuscitate (DNR) Policy
515.390	Minimum Standards for Continuing Operation
515.400	General Communications
515.410	EMS System Communications
515.420	System Participation Suspensions
515.430	Suspension, Revocation and Denial of Licensure of EMTs (Repealed)
515.440	State Emergency Medical Services Disciplinary Review Board
515.445	Pediatric Care
515.450	Complaints
515.455	Intra- and Inter-system Dispute Resolution
515.460	Fees
515.470	Participation by Veterans Health Administration Facilities

SUBPART D: EMERGENCY MEDICAL TECHNICIANS

Section	
515.500	Emergency Medical Technician-Basic Training
515.510	Emergency Medical Technician-Intermediate Training
515.520	Emergency Medical Technician-Paramedic Training
515.530	EMT Testing
515.540	EMT Licensure
515.550	Scope of Practice – Licensed EMT
515.560	EMT-B Continuing Education
515.570	EMT-I Continuing Education
515.580	EMT-P Continuing Education
515.590	EMT License Renewals
515.600	EMT Inactive Status
515.610	EMT Reciprocity
515.620	Felony Convictions (Renumbered)
515.630	Evaluation and Recognition of Military Experience and Education
515.640	Reinstatement

SUBPART E: EMS LEAD INSTRUCTOR, EMERGENCY MEDICAL DISPATCHER, FIRST RESPONDER, PRE-HOSPITAL REGISTERED NURSE, EMERGENCY COMMUNICATIONS REGISTERED NURSE, AND TRAUMA NURSE SPECIALIST

Section

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515.700	EMS Lead Instructor
515.710	Emergency Medical Dispatcher
515.715	Provisional Licensure for First Responders and Emergency Medical Responders
515.720	First Responder (Repealed)
515.725	First Responder/Emergency Medical Responder
515.730	Pre-Hospital Registered Nurse
515.740	Emergency Communications Registered Nurse
515.750	Trauma Nurse Specialist
515.760	Trauma Nurse Specialist Program Plan

SUBPART F: VEHICLE SERVICE PROVIDERS

Section	
515.800	Vehicle Service Provider Licensure
515.810	EMS Vehicle System Participation
515.820	Denial, Nonrenewal, Suspension and Revocation of a Vehicle Service Provider License
515.825	Alternate Response Vehicle
515.830	Ambulance Licensing Requirements
515.835	Stretcher Van Provider Licensing Requirements
515.840	Stretcher Van Requirements
515.845	Operation of Stretcher Vans
515.850	Reserve Ambulances
515.860	Critical Care Transport

SUBPART G: LICENSURE OF SPECIALIZED EMERGENCY
MEDICAL SERVICES VEHICLE (SEMSV) PROGRAMS

Section	
515.900	Licensure of SEMSV Programs – General
515.910	Denial, Nonrenewal, Suspension or Revocation of SEMSV Licensure
515.920	SEMSV Program Licensure Requirements for All Vehicles
515.930	Helicopter and Fixed-Wing Aircraft Requirements
515.935	EMS Pilot Specifications
515.940	Aeromedical Crew Member Training Requirements
515.945	Aircraft Vehicle Specifications and Operation
515.950	Aircraft Medical Equipment and Drugs
515.955	Vehicle Maintenance for Helicopter and Fixed-wing Aircraft Programs
515.960	Aircraft Communications and Dispatch Center

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515.965	Watercraft Requirements
515.970	Watercraft Vehicle Specifications and Operation
515.975	Watercraft Medical Equipment and Drugs
515.980	Watercraft Communications and Dispatch Center
515.985	Off-Road SEMSV Requirements
515.990	Off-Road Vehicle Specifications and Operation
515.995	Off-Road Medical Equipment and Drugs
515.1000	Off-Road Communications and Dispatch Center

SUBPART H: TRAUMA CENTERS

Section	
515.2000	Trauma Center Designation
515.2010	Denial of Application for Designation or Request for Renewal
515.2020	Inspection and Revocation of Designation
515.2030	Level I Trauma Center Designation Criteria
515.2035	Level I Pediatric Trauma Center
515.2040	Level II Trauma Center Designation Criteria
515.2045	Level II Pediatric Trauma Center
515.2050	Trauma Center Uniform Reporting Requirements
515.2060	Trauma Patient Evaluation and Transfer
515.2070	Trauma Center Designation Delegation to Local Health Departments
515.2080	Trauma Center Confidentiality and Immunity
515.2090	Trauma Center Fund
515.2100	Pediatric Care (Renumbered)
515.2200	Suspension Policy for Trauma Nurse Specialist Certification

SUBPART I: EMS ASSISTANCE FUND

Section	
515.3000	EMS Assistance Fund Administration

SUBPART J: EMERGENCY MEDICAL SERVICES FOR CHILDREN

Section	
515.3090	Pediatric Recognition of Hospital Emergency Departments and Inpatient Critical Care Services
515.4000	Facility Recognition Criteria for the Emergency Department Approved for Pediatrics (EDAP)

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- 515.4010 Facility Recognition Criteria for the Standby Emergency Department Approved for Pediatrics (SEDP)
515.4020 Facility Recognition Criteria for the Pediatric Critical Care Center (PCCC)

SUBPART K: PRIMARY STROKE CENTERS AND
EMERGENT STROKE READY HOSPITALS

- 515.5000 Definitions
515.5010 Stroke Care – Restricted Practices
515.5020 Primary Stroke Center (PSC) Designation
515.5030 Request for Primary Stroke Center Designation
515.5040 Suspension and Revocation of Primary Stroke Center Designation
515.5050 Emergent Stroke Ready Hospital (ESRH) Designation
515.5060 Emergent Stroke Ready Hospital Designation Criteria
515.5070 Request for Emergent Stroke Ready Hospital Designation
515.5080 Suspension and Revocation of Emergent Stroke Ready Hospital Designation
515.5090 Data Collection and Submission
515.5100 Statewide Stroke Assessment Tool
- 515.APPENDIX A A Request for Designation (RFD) Trauma Center
515.APPENDIX B A Request for Renewal of Trauma Center Designation
515.APPENDIX C Minimum Trauma Field Triage Criteria
515.APPENDIX D Standing Medical Orders
515.APPENDIX E Minimum Prescribed Data Elements
515.APPENDIX F Template for In-House Triage for Trauma Centers
515.APPENDIX G Credentials of General/Trauma Surgeons Level I and Level II
515.APPENDIX H Credentials of Emergency Department Physicians Level I and Level II
515.APPENDIX I Credentials of General/Trauma Surgeons Level I and Level II Pediatric Trauma Centers
515.APPENDIX J Credentials of Emergency Department Physicians Level I and Level II Pediatric Trauma Centers
515.APPENDIX K Application for Facility Recognition for Emergency Department with Pediatrics Capabilities
515.APPENDIX L Pediatric Equipment Recommendations for Emergency Departments
515.APPENDIX M Inter-facility Pediatric Trauma and Critical Care Consultation and/or Transfer Guideline
515.APPENDIX N Pediatric Critical Care Center (PCCC)/Emergency Department Approved for Pediatrics (EDAP) Recognition Application
515.APPENDIX O Pediatric Critical Care Center Plan

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515.APPENDIX P Pediatric Critical Care Center (PCCC) Pediatric
Equipment/Supplies/Medications Requirements

AUTHORITY: Implementing and authorized by the Emergency Medical Services (EMS) Systems Act [210 ILCS 50].

SOURCE: Emergency Rule adopted at 19 Ill. Reg. 13084, effective September 1, 1995 for a maximum of 150 days; emergency expired January 28, 1996; adopted at 20 Ill. Reg. 3203, effective February 9, 1996; emergency amendment at 21 Ill. Reg. 2437, effective January 31, 1997, for a maximum of 150 days; amended at 21 Ill. Reg. 5170, effective April 15, 1997; amended at 22 Ill. Reg. 11835, effective June 25, 1998; amended at 22 Ill. Reg. 16543, effective September 8, 1998; amended at 24 Ill. Reg. 8585, effective June 10, 2000; amended at 24 Ill. Reg. 9006, effective June 15, 2000; amended at 24 Ill. Reg. 19218, effective December 15, 2000; amended at 25 Ill. Reg. 16386, effective December 20, 2001; amended at 26 Ill. Reg. 18367, effective December 20, 2002; amended at 27 Ill. Reg. 1277, effective January 10, 2003; amended at 27 Ill. Reg. 6352, effective April 15, 2003; amended at 27 Ill. Reg. 7302, effective April 25, 2003; amended at 27 Ill. Reg. 13507, effective July 25, 2003; emergency amendment at 29 Ill. Reg. 12640, effective July 29, 2005, for a maximum of 150 days; emergency expired December 25, 2005; amended at 30 Ill. Reg. 8658, effective April 21, 2006; amended at 32 Ill. Reg. 16255, effective September 18, 2008; amended at 35 Ill. Reg. 6195, effective March 22, 2011; amended at 35 Ill. Reg. 15278, effective August 30, 2011; amended at 35 Ill. Reg. 16697, effective September 29, 2011; amended at 35 Ill. Reg. 18331, effective October 21, 2011; amended at 35 Ill. Reg. 20609, effective December 9, 2011; amended at 36 Ill. Reg. 880, effective January 6, 2012; amended at 36 Ill. Reg. 2296, effective January 25, 2012; amended at 36 Ill. Reg. 3208, effective February 15, 2012; amended at 36 Ill. Reg. 11196, effective July 3, 2012; amended at 36 Ill. Reg. 17490, effective December 3, 2012; amended at 37 Ill. Reg. 5714, effective April 15, 2013; amended at 37 Ill. Reg. 7128, effective May 13, 2013; amended at 37 Ill. Reg. 10683, effective June 25, 2013; amended at 37 Ill. Reg. 18883, effective November 12, 2013; amended at 37 Ill. Reg. 19610, effective November 20, 2013; amended at 38 Ill. Reg. _____, effective _____.

SUBPART A: GENERAL PROVISIONS

Section 515.150 Waiver Provisions

- a) *The Department may grant a waiver to any provision of the Act or this Part for a specified period of time determined appropriate by the Department. The Department may grant a waiver when it can be demonstrated that there will be no reduction in standards of medical care as determined by the EMS Medical*

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Director or the Department. (Section 3.185 of the Act) Waivers shall be valid only for the length of time determined by the Department (see subsection (f)). For either a single or multiple waiver request, the burden of proof as to the factual basis supporting any waiver shall be on the applicant.

- b) *Any entity may apply in writing to the Department for a waiver to specific requirements or standards for which it considers compliance to be a hardship.* (Section 3.185 of the Act) The application shall contain the following information:
- 1) The applicant's name, address, and license number (if applicable);
 - 2) The Section of the Act or this Part for which the waiver is being sought;
 - 3) An explanation of why the applicant considers compliance with the Section to be a unique hardship, including:
 - A) A description of how the applicant has attempted to comply with the Section;
 - B) The reasons for non-compliance; and
 - C) A detailed plan for achieving compliance. The detailed plan shall include specific timetables.
 - 4) The period of time for which the waiver is being sought;
 - 5) An explanation of how the waiver will not reduce the quality of medical care established by the Act and this Part; and
 - 6) If the applicant is a System Participant, the applicant's EMS MDEMS Medical Director shall state in writing whether he/she recommends or opposes the application for waiver, the reason for thesueh recommendation or opposition, and how the waiver will or will not reduce the quality of medical care established by the Act and this Part. The applicant shall submit the EMS MD's EMSMD's statements along with the application for waiver. ~~If the EMSMD does not provide written statements within 30 days of the applicant's request, the application may be submitted to the Department and the EMSMD will be determined to be~~

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~~in support of the waiver.~~

- c) An EMS ~~MD~~Medical Director may apply to the Department for a waiver on behalf of a System Participant by submitting an application that contains all of the information required by subsection (b) ~~of this Section~~, along with a statement signed by the System Participant requesting or authorizing the ~~EMS MD~~EMSMD to make ~~thesueh~~ application.
- d) The Department ~~will~~shall grant the requested waiver if it finds the following:
- 1) The waiver will not reduce the quality of medical care established by the Act and this Part;
 - 2) Full compliance with the ~~statutory or regulatory requirement~~regulation at issue is or would be a ~~unique~~ hardship on the applicant;
 - 3) For an EMT seeking a waiver to extend a relicensure date in order to complete relicensure requirements:
 - A) The EMT has previously received no more than one extension since his or her last relicensure; and
 - B) The EMT has not established a pattern of seeking extensions (e.g., waivers sought based on the same type of hardship in two or more previous license periods);
 - 4) For an applicant other than an EMT:
 - A) The applicant has previously received no more than one waiver of the same ~~statutory or regulatory requirement~~regulation during the current license or designation ~~period~~year;
 - B) The applicant has not established a pattern of seeking waivers of the same ~~statutory or regulatory requirement~~regulation during previous license or designation ~~period~~years; and
 - C) The Department finds that the hardship preventing compliance with the particular ~~statutory or regulatory requirement~~regulation is ~~unique and~~ not of an ongoing nature;

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- 5) For a hospital requesting a waiver to participate in a System other than that in which the hospital is geographically located:
- A) Documentation that transfer patterns support the request; and
 - B) Historic patterns of patient referrals support the request.
- e) When granting a waiver, the Department ~~will~~shall specify the statutory or regulatory requirement~~regulation or portion thereof~~ that is being waived, any alternate requirement that the waiver applicant shall meet, and any procedures or timetable that the waiver applicant shall follow to achieve compliance with the waived ~~requirement~~regulation.
- f) The Department ~~will~~shall determine the length of any waiver that it grants, based on the nature and extent of the hardship and will consider the medical needs of the community or areas in which the waiver applicant functions.
- g) The Department ~~will~~shall grant a waiver of Section 515.830(a)(1)~~of this Part~~ for a vehicle that changes ownership ~~after April 1, 1997~~, if the vehicle meets the requirements of the U.S. General Services Administration's "Specifications for Ambulance" (~~KKK-A-1822D~~)(~~KKK-A-1822C~~).

(Source: Amended at 38 Ill. Reg. _____, effective _____)

Section 515.165 Suspension, Revocation and Denial of Licensure

In accordance with Section 515.160, the Director, after providing notice and an opportunity for an administrative hearing to the applicant or licensee, shall *suspend, revoke or refuse to issue or renew the license of any licensee where the preponderance of the evidence shows one or more of the following:*

- a) *The licensee has not met continuing education or relicensure requirements as prescribed by the Department in this Part (Section 3.50(d)(8)(A) of the Act);*
- b) *The licensee has failed to maintain proficiency in the level of skills for which he or she is licensed (Section 3.50(b)(8)(B) of the Act);*
- c) *The licensee, during the provision of medical services, engaged in dishonorable,*

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unethical or unprofessional conduct of a character likely to deceive, defraud or harm the public (Section 3.50(d)(8)(C) of the Act) (e.g., use of alcohol or illegal drugs while on duty, verbal or physical abuse of a patient, or misrepresentation of licensure status);

- d) The licensee has failed to maintain or has violated standards of performance and conduct as prescribed by the Department in this Part or his or her EMS System's Program Plan (Section 3.50(d)(8)(D) of the Act);
- e) The licensee is physically impaired to the extent that he or she cannot physically perform the skills and functions for which he or she is licensed, as verified by a physician, unless the person is on inactive status pursuant to this Part (Section 3.50(d)(8)(E) of the Act);
- f) The licensee is mentally impaired to the extent that he or she cannot exercise the appropriate judgment, skill and safety for performing the functions for which he or she is licensed, as verified by a physician, unless the person is on inactive status pursuant to this Part (Section 3.50(d)(8)(F) of the Act);
- g) The licensee has violated the Act or this Part (Section 3.50(d)(8)(G) of the Act);
- h) The licensee has been convicted (or entered a plea of guilty or nolo contendere) by a court of competent jurisdiction of a Class X, Class 1, or Class 2 felony in this State or an out-of-state equivalent offense (Section 3.50(d)(8)(H) of the Act);
- i) The licensee has demonstrated medical misconduct or incompetence, or a pattern of continued or repeated medical misconduct or incompetence, in the provision of emergency care; or
- j) The licensee's license has been revoked, denied or suspended by the Department.

(Source: Added at 38 Ill. Reg. _____, effective _____)

Section 515.170 Employer Responsibility

- a) No employer shall permit any employee to perform any services for which a license, certificate, or other authorization is required under the Act, unless the employer first makes a good faith attempt to verify that the employee possesses all necessary and valid licenses, certificates, and authorizations required under the

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~~Act. (Section 3.160(a-5) of the Act) No employer shall employ or permit any employee to perform any services for which a license, certificate or other authorization is required by the Act or this Part unless and until the person so employed possesses all licenses, certificates or authorizations that are so required. (Section 3.160(a) of the Act) The employer shall examine a valid, original license for compliance with this subsection (a).~~

- b) *Any person or entity that employs or supervises a person's activities as a First Responder or Emergency Medical Dispatcher shall cooperate with the Department's efforts to monitor and enforce compliance by those individuals with the requirements of the Act or this Part. (Section 3.160(b) of the Act)*

(Source: Amended at 38 Ill. Reg. _____, effective _____)

Section 515.190620 Felony Convictions

- a) Applicants and licensees convicted of an Illinois *Class X, Class 1 or Class 2 felony or an out-of-state equivalent offense* shall be subject to adverse licensure actions under Section 3.50(d)(8) of the Act. In determining whether an applicant or licensee has been convicted of *an out-of-state equivalent offense* under Section 3.50(d)(8)(H) of the Act, the Department shall look to the essential elements of the out-of-state offense to determine whether that conviction is substantially equivalent to an Illinois Class X, Class 1 or Class 2 felony. The fact that the out-of-state offense may be named or classified differently by another state, territory or country shall not be considered in determining whether the out-of-state offense is equivalent. The controlling factor shall be whether the essential elements of the out-of-state offense are substantially equivalent to the essential elements of an Illinois Class X, Class 1 or Class 2 felony (Section 3.50(d) of the Act).
- b) All applicants for any license, permit or certification under the Act shall fully disclose any and all felony convictions in writing to the Department at the time of initial application or renewal. Failure to disclose all felony convictions on an application submitted to the Department shall be grounds for license denial or revocation (see Section 515.430).
- c) All licensees and certificate and permit holders under the Act shall report all new felony convictions to the Department within seven days after conviction. Convictions shall be reported by means of a letter to the Department.

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- d) For applicants with a *Class X, Class 1 or Class 2 felony or an out-of-state equivalent offense* (Section 3.50(d) of the Act), the Department shall have the authority to require that the applicant sign an authorization permitting the Department to obtain a criminal history report from the Illinois State Police or other law enforcement agency at the applicant's cost. The failure or refusal of any felony applicant to provide the authorization and fee required by the applicable law enforcement agency shall be grounds for denial of licensure, including renewal.
- e) In deciding whether to issue any license to a person with a felony conviction under Section 3.50(d) of the Act, the Department shall consider the degree to which the applicant's criminal history suggests that the applicant may present a risk to patients. Factors to be considered shall include, but not be limited to:
- 1) The length of time since the conviction and the severity of the penalty imposed;
 - 2) Whether the conviction involved theft, deception or infliction of intentional, unjustified harm to others;
 - 3) Whether there are repeat or multiple convictions or whether the convictions suggest a particular pattern of overall disregard for the safety or property of others;
 - 4) Whether the conviction suggests a propensity that may pose a threat to the public in stressful situations commonly confronted by EMS providers and First Responders;
 - 5) The degree to which the applicant provided full, complete and accurate information upon written request of the Department; and
 - 6) Other unusual facts and circumstances that strongly suggest that the applicant should not be granted a license.
- f) The Department may request and the applicant shall provide all additional information relevant to the applicant's history and the factors listed in subsection (e). The Department shall deny any application when the applicant fails or refuses to provide additional relevant information requested by the Department,

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including, but not limited to, providing the written authorization and fee for a police criminal background check.

(Source: Section 515.190 renumbered from Section 515.620 at 38 Ill. Reg. _____, effective _____)

SUBPART C: EMS SYSTEMS

Section 515.430 Suspension, Revocation and Denial of Licensure of EMTs (Repealed)

~~In accordance with Section 515.160 of this Part, the Director, after providing notice and an opportunity for an administrative hearing to the applicant or licensee, shall deny, suspend or revoke a license or refuse to relicense any person as an EMT-B, EMT-I or EMT-P in any case in which he or she finds that there has been a substantial failure to comply with the provisions of the Act or this Part. Such findings must show one or more of the following:~~

- ~~a) *The EMT has not met continuing education or relicensure requirements as prescribed by the Department in this Part (Section 3.50(d)(8)(A) of the Act);*~~
- ~~b) *The EMT has failed to maintain proficiency in the level of skills for which he or she is licensed (Section 3.50(b)(8)(B) of the Act);*~~
- ~~c) *The EMT, during the provision of medical services, engaged in dishonorable, unethical or unprofessional conduct of a character likely to deceive, defraud or harm the public (Section 3.50(d)(8)(C) of the Act) (e.g., use of alcohol or illegal drugs while on duty, verbal or physical abuse of a patient, or misrepresentation of licensure status);*~~
- ~~d) *The EMT has failed to maintain or has violated standards of performance and conduct as prescribed by the Department in this Part or his or her EMS System's Program Plan (Section 3.50(d)(8)(D) of the Act);*~~
- ~~e) *The EMT is physically impaired to the extent that he or she cannot physically perform the skills and functions for which he or she is licensed, as verified by a physician, unless the person is on inactive status pursuant to this Part (Section 3.50(d)(8)(E) of the Act);*~~
- ~~f) *The EMT is mentally impaired to the extent that he or she cannot exercise the appropriate judgment, skill and safety for performing the functions for which he*~~

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~~or she is licensed, as verified by a physician, unless the person is an EMT-I or EMT-P on inactive status pursuant to this Part (Section 3.50(d)(8)(F) of the Act);~~

- g) ~~The EMT has violated the Act or this Part (Section 3.50(d)(8)(G) of the Act);~~
- h) ~~The EMT has demonstrated medical misconduct or incompetence, or a pattern of continued or repeated medical misconduct or incompetence in the provision of emergency care; or~~
- i) ~~The EMT's license has been revoked, denied or suspended by the Department.~~

(Source: Repealed at 38 Ill. Reg. _____, effective _____)

Section 515.460 Fees

- a) The following fees shall be submitted to the Department at the time of application for examination, initial licensure ~~or certification~~, licensure ~~or certification~~ renewal, duplicate license, or reciprocity:
 - 1) EMT-B licensure: \$45
 - 2) EMT-B renewal: \$20
 - 3) EMT-B examination: \$20
 - 4) EMT-I licensure: \$45
 - 5) EMT-I renewal: \$30
 - 6) EMT-I examination: \$30
 - 7) EMT-P licensure: \$60
 - 8) EMT-P renewal: \$40
 - 9) EMT-P examination: \$40
 - 10) Trauma Nurse Specialist licensure: \$50

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- 11) Trauma Nurse Specialist renewal: \$25
- 12) Trauma Nurse Specialist examination: \$25 (see Section 515.750(f))
- 13) Emergency Communications Registered Nurse licensure: \$55
- 14) Emergency Communications Registered Nurse renewal: \$20
- 15) Emergency Medical Dispatcher licensure: \$30
- 16) Emergency Medical Dispatcher renewal: \$20
- 17) Pre-Hospital RN licensure: \$30
- 18) Pre-Hospital RN renewal: \$20
- 19) Lead Instructor licensure: \$40
- 20) Lead Instructor renewal: \$20
- 21) First Responder licensure: \$55
- 22) First Responder renewal: \$20
- 23) Duplicate license: \$10
- 24) Reciprocity: \$50
- 25) Fees for reinstatement of a license ~~or certification~~ will be equal to the amount of the initial license ~~or certification~~ fee.

- b) *An EMT who is a member of the Illinois National Guard, an Illinois State Trooper, or exclusively serves as a volunteer for units of local government or a not-for-profit organization that serves a service area with a population base of less than 5,000 or as a volunteer for a not-for-profit organization that serves a service area with a population base of less than 5,000 in this State may submit an application to the Department for a waiver of ~~the~~ these fees for EMT examination, licensure and license renewal on a form prescribed by the Department. (Section 3.50(d)(9) of the Act) The fee waiver application shall be submitted to the*

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Department and approved prior to examination, licensure or renewal. No fees will be refunded.

- c) *A First Responder who exclusively serves as a volunteer for units of local government or a not-for-profit organization that serves a service area with a population base of less than 5,000 may submit an application to the Department for a waiver of these fees on a form prescribed by the Department. (Section 3.60(b)(7) of the Act)*
- d) Fees shall be paid by certified check or money order made payable to the Department. Personal checks or cash will not be accepted.
- e) If a candidate does not achieve a passing grade on the written examination, the fee for the retest is the same as for initial examination.
- f) All fees submitted for licensure examinations are not refundable.

(Source: Amended at 38 Ill. Reg. _____, effective _____)

SUBPART D: EMERGENCY MEDICAL TECHNICIANS

Section 515.590 EMT License Renewals

- a) To be relicensed as an EMT:
 - 1) The licensee shall file an application for renewal with the Department on a form prescribed by the Department at least 30 days prior to the license expiration date.
 - A) If an EMS MD has recommended a licensee for relicensure, ~~the~~The submission of a transaction card (Form No. IL 482-0837) by the EMS ~~MD~~Medical Director will satisfy the renewal application requirement. ~~for a licensee who has been recommended for relicensure by the EMS Medical Director.~~
 - B) A licensee who has not been recommended for relicensure by the EMS ~~MD shall~~Medical Director ~~must~~ independently submit an application for renewal to the Department ~~an application for renewal~~. The EMS ~~MD~~Medical Director shall provide the licensee

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with a copy of the appropriate form to be completed.

- 2) A written recommendation signed by the EMS ~~MD~~Medical Director must be provided to the Department regarding completion of the following minimum requirements:

A) Paramedics shall have 100 approved continuing education hours. EMT-Is shall have 80 approved continuing education hours. Advanced EMTs (AEMTs) shall have 80 approved continuing education hours. EMT-Bs shall have 60 approved continuing education hours.

B)A) Continuing education hours shall consist of EMS System-approved in-services, Department-recognized college health care courses, online continuing education courses, ~~One hundred twenty hours of continuing education,~~ seminars and workshops, addressing both adult and pediatric care. The System shall define in the Program Plan the number of continuing education hours to be accrued each year for relicensure. No more than 25 percent of those hours may be in the same subject.

C)B) Any System continuing education requirements for an EMT approved to operate an automated defibrillator shall be included in the required ~~120~~ continuing education hours.

D)C) The licensee shall have a ~~A~~ current CPR for Healthcare Providers card that covers:

- i) Adult one-rescuer CPR,
- ii) Adult foreign body airway obstruction management,
- iii) Pediatric one-rescuer CPR,
- iv) Pediatric foreign body airway obstruction management,
- v) Adult two-rescuer CPR, and
- vi) AED.

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- ~~E)D)~~ The licensee shall be functioning~~Functioning~~ within a State-approved EMS System providing the licensed level of life support services as verified by that System's EMS ~~MD~~Medical Director.
- b) The content~~Composition~~ of continuing education programs and qualifications of instructors shall be submitted to the Department for approval not less than 60 days prior to the scheduled event. Program approval will be granted provided ~~that the~~ program is conducted in accordance with guidelines of the Department of Transportation's National Standard Curriculum for EMTs and contains material relevant to that level of licensure. Qualifications of instructors shall be consistent with Section 515.700.
- c) EMT-Is and EMT-Ps shall complete a transition program for all sections of the National Standard Curriculum that are not currently in place in their System. This course may be completed as continuing education and shall be completed within the four-year licensing period.
- d) If the EMS ~~MD~~Medical Director does not recommend relicensure, he/she shall submit all reasons for denial in writing to the EMT and the Department.
- e) The license of an EMT who has failed to file an application for renewal shall terminate on the day following the expiration date shown on the license.
- f) At any time prior to the expiration of the current license, an EMT-I or EMT-P may revert to the EMT-B status for the remainder of the license period. The EMT-I or EMT-P ~~shall~~must make this request in writing to the Department. To relicense at the EMT-B level, the individual must meet the EMT-B requirements for relicensure.
- g) An EMT-I or EMT-P who has reverted to EMT-B status may be subsequently relicensed as an EMT-I or EMT-P; upon the recommendation of an EMS ~~MD~~Medical Director who has verified that the individual's knowledge and clinical skills are at an active EMT-I or EMT-P level, and that the individual has completed any retraining, education or testing deemed necessary by the ~~EMS~~MD~~EMSMD~~ for resuming EMT-I or EMT-P activities.
- h) Any EMT whose license has expired for a period of more than 60 days shall be required to reapply for licensure, complete the training program and pass the test,

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and pay the fees as required for initial licensure (see subsection (i) ~~below~~).

- i) The Department *shall require the licensee to certify on the renewal application form, under penalty of perjury, that he or she is not more than 30 days delinquent in complying with a child support order.* (Section 10-65(c) of the Illinois Administrative Procedure Act ~~[5 ILCS 100/10-65(e)]~~)
- j) An EMT whose license has expired may, within 60 days after licensure expiration, submit all relicensure material as required in this Part and a fee of \$50 in the form of a certified check or money order (cash or personal check will not be accepted). If all material is in order and there is no disciplinary action pending against the EMT, the Department will relicensure the EMT.
- k) At any time prior to the expiration of the current license, an EMT may revert to First Responder status for the remainder of the license period. The EMT ~~shall~~must make this request in writing to the Department. To re-register as a First Responder, the individual ~~shall~~must meet the requirements for First Responder registration.

(Source: Amended at 38 Ill. Reg. _____, effective _____)

Section 515.620 Felony Convictions (Renumbered)

(Source: Section 515.620 renumbered to Section 515.190 at 38 Ill. Reg. _____, effective _____)

Section 515.630 Evaluation and Recognition of Military Experience and Education

- a) *In prescribing licensure testing requirements for honorably discharged members of the armed forces of the United States under this Part, the Department shall ensure that a candidate's military emergency medical training, emergency medical curriculum completed, and clinical experience, as described in this Section, are recognized.*
- b)a) The Department will *review applications for EMT licensure from honorably discharged members of the armed forces of the United States with military emergency medical training.* (Section 3.50(d)(2.5) of the Act)

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- ~~c)b~~ The Department will provide application forms. Applications *shall be filed with the Department within one year after military discharge and shall contain the following:*
- 1) Documentation that the application is being filed *within one year after military discharge;*
 - 2) *Proof of successful completion of military emergency medical training;*
 - 3) *A detailed description of the emergency medical curriculum completed, including official documentation demonstrating basic coursework and curriculum; and*
 - 4) *A detailed description and official documentation of the applicant's clinical experience.* (Section 3.50(d)(2.5) of the Act)
- ~~d)e~~ *The Department may request additional and clarifying information and supporting documentation, if necessary, to verify the information provided in subsection ~~c)b~~.* (Section 3.50(d)(2.5) of the Act)
- ~~e)d~~ *The Department shall evaluate the application, including the applicant's training and experience, consistent with the standards set forth under Section 3.10(a), (b), (c) or (d) of the Act ~~and~~ the requirements of this Part to determine if the applicant qualifies for the licensure level applied for.* (Section 3.50(d)(2.5) of the Act)
- ~~f)e~~ *If the application clearly demonstrates that the training and experience meet the standards of subsection ~~e)d~~, the Department shall offer the applicant the opportunity to successfully complete a Department-approved EMT examination for which the applicant is qualified, in accordance with Section 515.530 of this Part.* (Section 3.50(d)(2.5) of the Act)
- ~~g)f~~ *Upon the applicant's passage of an examination and having paid all required fees, as set forth in Sections 515.530 and 515.460 ~~of this Part~~, the Department shall issue a license, which shall be subject to all provisions of the Act and this Part that are otherwise applicable to the class of EMT license issued, as set forth in Section 515.590.* (Section 3.50(d)(2.5) of the Act)

(Source: Amended at 38 Ill. Reg. _____, effective _____)

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SUBPART F: VEHICLE SERVICE PROVIDERS

Section 515.800 Vehicle Service Provider Licensure

- a) An application for a Vehicle Service Provider license shall be submitted on a form prescribed by the Department. The application shall include, but not be limited to, licensee name, address and telephone number; and, for each vehicle to be covered by the license, make, model, year, vehicle identification number (VIN), State vehicle license number and level of service (BLS, ILS or ALS).
- b) ~~Each~~The application shall be accompanied by a fee of \$25 for each vehicle included in the initial license application and due at the time of each annual inspection for up to 100 individual vehicles. A fee of \$2500 shall be submitted for initial applications and due at annual inspections for providers with 100 or more vehicles.
- c) An application for license renewal shall be submitted to the Department in accordance with subsections (a) and (b) at least 60 days but no more than 90 days prior to license expiration.
- d) The Department shall issue a license valid for four years. ~~The license will remain valid one year~~ if, after annual inspection, all fee requirements are paid and; the Department finds that the vehicle service provider is in full compliance with the Act and this Part. If the Department finds that the vehicle service provider is not in full compliance, in addition to all other actions authorized by the Act and this Part, the Department may issue a license for a shorter interval.
- e) The Department shall have the right to make inspections and investigations as necessary to determine compliance with the Act and this Part. Pursuant to any inspection or investigation, a licensee shall allow the Department access to all records, equipment and vehicles relating to activities addressed by the Act and this Part.
- f) Each license is issued to the licensee for the vehicles identified in the application. The licensee shall notify the Department, in writing, within 10 days after any changes in the information on the application. Additional vehicles shall not be put in service until an application is submitted with the proper fee and an inspection is conducted. The licensee shall notify the Department, in accordance

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~~with subsection (g), to~~ To change a vehicle's level of service, ~~notification shall be made in accordance with subsection (g).~~

- g) ~~The Department will approve each~~ Each vehicle covered by an ambulance service provider license ~~shall be approved by the Department~~ to operate at a specific level of service (BLS, ILS or ALS). To change the level of service for a specific vehicle:
- 1) The licensee shall submit a written request to the EMS ~~MDMedical Director~~.
 - 2) The EMS ~~MDMedical Director~~ shall submit a copy of that request to the Department, along with written verification that the licensee meets the equipment and staffing requirements of this Part and the EMS System Plan for the requested level of service.
 - 3) The Department will then amend the provider license and vehicle certificate to reflect the new level of service.
- h) *All Vehicle Service Providers shall function within an EMS System. (Section 3.85(b)(1) of the Act)*
- i) *A Vehicle Service Provider utilizing ambulances shall have a primary affiliation with an EMS System within the EMS Region in which its Primary Service Area is located. This does not apply to Vehicle Service Providers ~~that which~~ exclusively utilize Limited Operation Vehicles. (Section 3.85(b)(2) of the Act)*
- j) *A Vehicle Service Provider is prohibited from advertising, identifying its vehicles, or disseminating information in a false or misleading manner concerning the Provider's type and level of vehicles, location, primary service area, response times, level of personnel, licensure status or System participation. (Section 3.85(b)(10) of the Act)*
- k) *A vehicle service provider, whether municipal, private, or hospital owned, is prohibited from advertising itself as a critical care transport provider unless it participates in a Department-approved EMS System critical care transport plan and provides critical care transport services at a Tier II or Tier III level of care. (Section 3.85(b)(10.5))*

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(Source: Amended at 38 Ill. Reg. _____, effective _____)

SECRETARY OF STATE

NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: Lobbyist Registration and Reports
- 2) Code Citation: 2 Ill. Adm. Code 560
- 3)

<u>Section Numbers:</u>	<u>Proposed Action:</u>
560.100	Amendment
560.310	Amendment
- 4) Statutory Authority: Implementing and authorized by the Lobbyist Registration Act [25 ILCS 170]
- 5) Complete Description of the Subjects and Issues Involved: The proposed rule updates definitions and requirements to comply with amendments to the Lobbyist Registration Act effective January 1, 2014.
- 6) Published studies or reports, and sources of underlying data, used to compose this rulemaking: None
- 7) Will this rulemaking replace any emergency rule currently in effect? Yes
- 8) Does this rulemaking contain an automatic repeal date? No
- 9) Does this rulemaking contain incorporations by reference? No
- 10) Are there any other proposed rulemakings pending on this Part? No
- 11) Statement of Statewide Policy Objectives: The proposed amendments do not require expenditures by units of local government.
- 12) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Written comments may be submitted within 45 days to:

Michelle Nijm
Assistant General Counsel
100 W. Randolph, Ste. 5-400
Chicago, IL 60601

312/814-7246

SECRETARY OF STATE

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The Department will consider all written comments it receives during the First Notice period as required by Section 5-40 of the Illinois Administrative Procedure Act [5 ILCS 100/5-40].

- 13) Initial Regulatory Flexibility Analysis: None.
- A) Types of small businesses, small municipalities and not-for-profit corporations affected: None.
- B) Reporting, bookkeeping or other procedures required for compliance: None
- C) Types of professional skills necessary for compliance: None
- 14) Regulatory Agenda on which this rulemaking was summarized: This rulemaking was not included on either of the most recent regulatory agendas because the Department did not anticipate this rulemaking at the time the agendas were published.

The full text of the Proposed Amendments is identical to that of the Emergency Amendments on this Part and can be found in this issue of the *Illinois Register* on page 20784.

ILLINOIS STATE TOLL HIGHWAY AUTHORITY

NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: State Toll Highway Rules
- 2) Code Citation: 92 Ill. Adm. Code 2520
- 3)

<u>Section Numbers:</u>	<u>Proposed Action:</u>
2520.410	Amend
2520.420	Amend
- 4) Statutory Authority: 605 ILCS 10/10, 605 ILCS 5/11-601, 605 ILCS 5/11-603
- 5) A Complete Description of the Subjects and Issues Involved: In response to recent legislation permitting the increase in speed limits to 70 mph on interstate highways, the Tollway is proposing that maximum speed limits be increased on portions of I-88 and I-90.
- 6) Published studies or reports, and sources of underlying data, used to compose this rulemaking: The Tollway's consulting traffic engineer has prepared a study which supports the proposed maximum and minimum speed limit increases.
- 7) Will this rulemaking replace any emergency rulemaking currently in effect? No. However, in view of the fact this rulemaking is being initiated in response to very recent amendments to the Vehicle Code and the administrative rulemaking process will likely not be completed in time to increase speed limits concurrently with the Illinois Department of Transportation, the Tollway will file an emergency rule before the end of 2013.
- 8) Does this rulemaking contain an automatic repeal date? No
- 9) Does this rulemaking contain incorporations by reference? No
- 10) Are there any other proposed rulemakings pending on this Part? Yes. There is a proposed Tollway rulemaking pending concerning toll violation escalation fines.

<u>Section Number:</u>	<u>Proposed Action:</u>	<u>Ill. Reg. Citation:</u>
2520.750	Amended	37 Ill. Reg. 16915
- 11) Statement of Statewide Policy Objectives: Consistent with a recent change in the law and IDOT's plans to increase the speed limits, the Tollway is proposing speed limit increases to 70 mph in non-urban districts.

ILLINOIS STATE TOLL HIGHWAY AUTHORITY

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- 12) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Persons who wish to comment on this proposed rulemaking may submit written comments within 45 days after the publication of this Notice in the *Illinois Register* to:

David Goldberg
General Counsel
Illinois State Toll Highway Authority
2700 Ogden Avenue
Downers Grove, IL 60515

- 13) Initial Regulatory Flexibility Analysis:
- A) Types of small businesses, small municipalities and not for profit corporations affected: None
 - B) Reporting, bookkeeping or other procedures required for compliance: None
 - C) Types of professional skills necessary for compliance: None
- 14) Regulatory Agenda on which this rulemaking was summarized: This rulemaking was not included on the most recent agenda because: The proposed rule changes had not been prepared or necessarily contemplated by the Tollway's Board of Directors at the time of the publishing of the most recent regulatory agenda.

The full text of the Proposed Amendments begins on the next page:

ILLINOIS STATE TOLL HIGHWAY AUTHORITY

NOTICE OF PROPOSED AMENDMENTS

TITLE 92: TRANSPORTATION
CHAPTER IV: ILLINOIS STATE TOLL HIGHWAY AUTHORITYPART 2520
STATE TOLL HIGHWAY RULES

SUBPART A: AUTHORITY AND DEFINITIONS

Section	
2520.100	Authority
2520.110	Authority Rulemaking
2520.120	Related Statutes
2520.130	Definitions

SUBPART B: GENERAL TRAFFIC RULES AND REGULATIONS

Section	
2520.200	Illinois Vehicle Code
2520.203	Use of Tollway Prohibited or Restricted
2520.206	Vehicles Excepted from Provisions of Section 2520.203
2520.209	Transportation of Hazardous Materials
2520.212	Special Usage Toll
2520.215	Loading or Unloading of Vehicles
2520.218	Full Stop at All Toll Plazas
2520.221	Entering and Leaving the Tollway
2520.224	"U" Turns, Etc.
2520.227	Backing Up of Vehicles
2520.230	Parking, Standing or Stopping
2520.233	Relocating of Vehicles
2520.236	Pushing or Towing of Vehicles
2520.239	Stopping or Halting Vehicles by the Authority
2520.242	Destruction of Authority Property
2520.245	Picnics
2520.248	Aircraft
2520.251	Sale of Goods and Services
2520.254	Solicitation of Rides
2520.257	Loitering or Interfering with Traffic
2520.260	Approaching/Departing a Toll Plaza
2520.263	Compliance with Orders or Directions of State Troopers, Etc.

ILLINOIS STATE TOLL HIGHWAY AUTHORITY

NOTICE OF PROPOSED AMENDMENTS

2520.266	Duty Upon Striking Fixtures, Structures or Other Property on Tollway
2520.269	Payment of Tolls
2520.272	I-Pass Registration
2520.275	Prohibited and Restricted Lanes
2520.278	Traffic Control Devices
2520.281	Penalty for Violation

SUBPART C: TRESPASS

Section	
2520.300	Authority
2520.310	Restriction of Vehicles Using the Tollway
2520.320	Restriction on Nature of Use of Tollway
2520.340	Persons and Vehicles Excepted from the Requirements of Subpart C
2520.350	Penalties

SUBPART D: SPEED RESTRICTIONS

Section	
2520.410	Maximum Speed Limits for Passenger Cars
2520.420	Maximum Speed Limits for Trucks, Buses, Passenger Cars Towing Trailers, House Trailers and Campers
2520.430	Maximum Speed Limits for Designated I-Pass Lanes, Service Areas, Parking Areas, Access Roads and Ramps, and Barrier Toll Plaza Approaches
2520.440	Road Hazards and Construction Zones
2520.450	Special Road Conditions
2520.460	Minimum Speed Limits

SUBPART E: FINES AND PENALTIES

Section	
2520.510	Violations
2520.520	Littering – Penalty
2520.530	Spurious or Counterfeit Tickets, Coupons or Tokens – Penalty
2520.540	Toll Collection Devices – Penalty for Breaking
2520.550	I-PASS Customer – Penalties

SUBPART F: TOLL VIOLATIONS – ADMINISTRATIVE ADJUDICATION SYSTEM

ILLINOIS STATE TOLL HIGHWAY AUTHORITY

NOTICE OF PROPOSED AMENDMENTS

Section

2520.700	Authority
2520.705	Notice of Violation to Respondent
2520.710	Effective Date of Notices
2520.715	Establishment of the Toll-Free Telephone Number
2520.720	Timely Request for Hearing
2520.725	Hearing Officers – Appointment, Disqualification, Powers and Duties
2520.730	Discovery
2520.735	Continuance
2520.740	Hearings Format
2520.745	Failure to Respond to Notice of Violation – Default
2520.750	Penalties
2520.755	Liability of Lessor
2520.760	Liability of Registered Owner
2520.765	Enforcement of Final Order
2520.770	Judicial Review

SUBPART G: EMPLOYMENT

2520.800	Tollway Employees
2520.APPENDIX A	Rules and Regulations for Overweight and Overdimension Vehicles and Loads

AUTHORITY: Implementing and authorized by the Toll Highway Act [605 ILCS 10].

SOURCE: Filed January 3, 1973; effective February 1, 1973; codified at 8 Ill. Reg. 19884; Part repealed, new Part adopted at 17 Ill. Reg. 8539, effective May 27, 1993; amended at 20 Ill. Reg. 10200, effective July 12, 1996; emergency amendment at 24 Ill. Reg. 2737, effective February 4, 2000, for a maximum of 150 days; emergency expired July 2, 2000; emergency amendment at 24 Ill. Reg. 4234, effective February 29, 2000, for a maximum of 150 days; emergency expired July 27, 2000; amended at 24 Ill. Reg. 16078, effective October 11, 2000; emergency amendment at 26 Ill. Reg. 16325, effective October 31, 2002, for a maximum of 150 days ; amended at 27 Ill. Reg. 6325, effective April 1, 2003; emergency amendment at 27 Ill. Reg. 18238, effective November 6, 2003, for a maximum of 150 days; emergency expired April 5, 2004; emergency amendment at 28 Ill. Reg. 1780, effective January 14, 2004, for a maximum of 150 days; amended at 28 Ill. Reg. 6911, effective April 23, 2004; emergency amendment at 28 Ill. Reg. 7688, effective May 24, 2004, for a maximum of 150 days; emergency expired October 20, 2004; amended at 28 Ill. Reg. 14530, effective October 25, 2004; old Part repealed at 30 Ill. Reg.

ILLINOIS STATE TOLL HIGHWAY AUTHORITY

NOTICE OF PROPOSED AMENDMENTS

11261 and new Part adopted at 30 Ill. Reg. 11264, effective June 9, 2006; amended at 35 Ill. Reg. 535, effective December 27, 2010; amended at 38 Ill. Reg. _____, effective _____.

SUBPART D: SPEED RESTRICTIONS

Section 2520.410 Maximum Speed Limits for Passenger Cars

The following shall be the maximum speed limits for passenger cars (includes motorcycles) on the Tollway, except as provided by Sections 2520.430 and 2520.440:

- a) Tri-State Tollway (I-94 portion north North of Stearns School Lake Cook Rd.):

55 miles per hour south of M.P. 7.03.0

65 miles per hour north of M.P. 7.03.0

Tri-State Tollway (I-294 portion in its entirety):

55 miles per hour, M.P.0.0 to M.P.52

- b) Northwest Tollway (I-90):

55 miles per hour east of M.P.27.2 (west of Randall Road)

65 miles per hour west of M.P.27.2 (west of Randall Road) to M.P.17.4 (west of the I-39 Interchange)

70 miles per hour west of M.P.17.4

- c) Ronald Reagan Memorial Highway (I-88):

55 miles per hour between the Eisenhower Expressway I-290 M.P.140.4 and M.P.115.0 (east of Orchard Rd. M.P.114.4)

65 miles per hour west of M.P.115.0 (east of Orchard Road M.P.114.4) to M.P.109 (west of Rte. 47)

70 miles per hour west of M.P.109 (west of Rte. 47)

ILLINOIS STATE TOLL HIGHWAY AUTHORITY

NOTICE OF PROPOSED AMENDMENTS

d) North-South Tollway (I-355):

55 miles per hour north of I-55 (M.P.12)

65 miles per hour south of I-55 (M.P.12)

(Source: Amended at 38 Ill. Reg. _____, effective _____)

Section 2520.420 Maximum Speed Limits for Trucks, Buses, Passenger Cars Towing Trailers, House Trailers and Campers

The maximum speed for trucks, buses, and passenger cars towing trailers, house trailers and campers is generally 55 miles per hour, but ~~70~~65 miles per hour west of Kane County (M.P.101) on I-88 and west of McHenry County (M.P.47.7) on I-90, except as provided by Sections 2520.430 and 2520.440.

(Source: Amended at 38 Ill. Reg. _____, effective _____)

ILLINOIS LABOR RELATIONS BOARD

NOTICE OF ADOPTED AMENDMENTS

- 1) Heading of the Part: General Procedures
- 2) Code Citation: 80 Ill. Adm. Code 1200
- 3)

<u>Section Numbers:</u>	<u>Adopted Action:</u>
1200.5	Amendment
1200.170	New
- 4) Statutory Authority: Authorized by Section 5(i) of the Illinois Public Labor Relations Act [5 ILCS 315/5(i)]
- 5) Effective Date of Rule: December 13, 2013
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this rulemaking contain incorporations by reference? No
- 8) A copy of the adopted rule, including any material incorporated by reference, is on file in the Illinois Labor Relation Board's principal office and is available for public inspection.
- 9) Notice of Proposal published in the *Illinois Register*: 37 Ill. Reg. 13757; August 23, 2013
- 10) Has JCAR issued a Statement of Objection to this rulemaking: No
- 11) Differences between Proposal and Final Version: None
- 12) Have all the changes agreed upon by the Agency and JCAR been made as indicated in the agreements issued by JCAR? No changes were recommended by JCAR.
- 13) Will this rulemaking replace any emergency rule currently in effect? No
- 14) Are there any rulemakings pending on this part? No
- 15) Summary and Purpose of Rulemaking: In 2008, the Board's Springfield office relocated from 320 West Washington Street, Suite 500, Springfield, Illinois 62701, to One Natural Resources Way, First Floor, Springfield, Illinois 62702. The amendment to Section 1200.5, Board Information and Business Hours, reflects the updated address. The Section rulemaking also addresses the formatting of this Section.

ILLINOIS LABOR RELATIONS BOARD

NOTICE OF ADOPTED AMENDMENTS

In 2007, PA 94-1058 amended the Illinois Open Meetings Act to permit, in limited circumstances, members of a public body to attend a meeting by means other than physical presence provided that the public body has adopted rules permitting attendance by means other than physical presence. The Board has not previously adopted such rules. The amendment to Section 1200.170 will permit members of the Board to attend meetings by video or audio conference in the limited circumstances detailed by Section 7 of the Illinois Open Meetings Act.

- 16) Information and questions regarding this adopted rule shall be directed to:

Sarah R. Kerley
Deputy General Counsel
Illinois Labor Relations Board
One Natural Resources Way, First Floor
Springfield, Illinois 62702

217/785-3155
Sarah.R.Kerley@Illinois.Gov

The full text of the Adopted Amendments begins on the next page:

ILLINOIS LABOR RELATIONS BOARD

NOTICE OF ADOPTED AMENDMENTS

TITLE 80: PUBLIC OFFICIALS AND EMPLOYEES
SUBTITLE C: LABOR RELATIONS
CHAPTER IV: ILLINOIS LABOR RELATIONS BOARDPART 1200
GENERAL PROCEDURES

Section

1200.3	General Statement of Purpose
1200.5	Board Information and Business Hours
1200.10	Definitions
1200.20	Filing and Service of Documents
1200.30	Computation and Extensions of Time
1200.40	Authority of Administrative Law Judges
1200.45	Motions
1200.50	Recording of Hearings
1200.60	Closing Arguments and Briefs Before An Administrative Law Judge
1200.70	Representation of Parties
1200.80	Ex Parte Communications
1200.90	Subpoenas
1200.100	Transfer of Jurisdiction
1200.105	Consolidation of Proceedings
1200.110	Amicus Curiae Briefs (Repealed)
1200.120	Voluntary Settlement or Adjustment of Disputes
1200.130	Rules of Evidence
1200.135	Appeals Procedures, Board Review and Court Review
1200.140	Amicus Curiae Briefs
1200.143	Declaratory Rulings
1200.145	Filing of Contracts
1200.150	Conflicts of Interest
1200.160	Variances and Suspensions of Rules
<u>1200.170</u>	<u>Board Member Meeting Attendance by Means other than Physical Presence</u>

AUTHORITY: Implementing and authorized by the Illinois Public Labor Relations Act [5 ILCS 315].

SOURCE: Emergency rule adopted at 8 Ill. Reg. 17314, effective September 11, 1984, for a maximum of 150 days; adopted at 9 Ill. Reg. 1846, effective January 25, 1985; amended at 11 Ill. Reg. 6428, effective March 27, 1987; amended at 12 Ill. Reg. 20096, effective November 18,

ILLINOIS LABOR RELATIONS BOARD

NOTICE OF ADOPTED AMENDMENTS

1988; amended at 14 Ill. Reg. 19896, effective November 30, 1990; amended at 17 Ill. Reg. 15588, effective September 13, 1993; amended at 20 Ill. Reg. 7391, effective May 10, 1996; amended at 27 Ill. Reg. 7365, effective May 1, 2003; emergency amendment at 27 Ill. Reg. 15557, effective September 22, 2003, for a maximum of 150 days; emergency amendment expired February 18, 2004; amended at 28 Ill. Reg. 4166, effective February 19, 2004; emergency amendment at 28 Ill. Reg. 7540, effective May 12, 2004, for a maximum of 150 days; emergency expired October 8, 2004; amended at 28 Ill. Reg. 15154, effective November 1, 2004; emergency amendment at 37 Ill. Reg. 5897, effective April 22, 2013, for a maximum of 150 days; amended at 37 Ill. Reg. 14064, effective August 23, 2013; amended at 37 Ill. Reg. 20637, effective December 13, 2013.

Section 1200.5 Board Information and Business Hours

a) The Springfield office of the Illinois Labor Relations Board is located at:

One Natural Resources Way, First Floor
Springfield IL 62702
telephone: 217-785-3155
facsimile: 217-785-4146

b) The Chicago office of the Board is located at:

160 N. LaSalle St., Suite S-400
Chicago IL 60601
telephone: 312-793-6400
facsimile: 312-793-6989

c) The Board's website address is www.state.il.us/ilrb.

d) The official business hours of the Board are 8:30 a.m. to 5:00 p.m., Monday through Friday.

~~The State Panel of the Illinois Labor Relations Board is located at 320 West Washington, Suite 500, Springfield, Illinois 62701. The State Panel telephone number is 1-217-785-3155. The State Panel facsimile telephone number is 1-217-785-4146. The Local Panel of the Illinois Labor Relations Board is located at 160 North LaSalle Street, Suite S-400, Chicago, Illinois 60601. The Local Panel telephone number is 1-312-793-6400. The Local Panel facsimile telephone number is 1-312-793-6989. The Illinois Labor Relations Board's website address is www.state.il.us/ilrb. The official business hours of the Illinois Labor Relations Board are 8:30~~

ILLINOIS LABOR RELATIONS BOARD

NOTICE OF ADOPTED AMENDMENTS

~~a.m. to 5:00 p.m., Monday through Friday.~~

(Source: Amended at 37 Ill. Reg. 20637, effective December 13, 2013)

Section 1200.170 Board Member Meeting Attendance by Means other than Physical Presence

The Board may allow a member of the Board to attend a meeting of the State or Local Panel or a joint meeting of the State and Local Panels by means of video or audio conference if:

- a) there is physically present at the meeting a quorum of the members of that panel or, in the case of a joint meeting of the State and Local Panels, a quorum consisting of the State Panel Chairman, serving as Chariman of the joint panel meeting, at least two other members of the State Panel, and at least one member of the Local Panel, as required by Section 2.01 of the Open Meeting Act;
- b) except when advance notification is impractical, the member wishing to participate by means of video or audio conference has notified the Board's secretary of this desire prior to the meeting; and
- c) the member is not able to be physically present at the meeting because of:
 - 1) personal illness or disability;
 - 2) the business of the Board; or
 - 3) a family or other emergency affecting the member.

(Source: Added at 37 Ill. Reg. 20637, effective December 13, 2013)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

- 1) Heading of the Part: Raccoon, Opossum, Striped Skunk, Red Fox, Gray Fox, Coyote and Woodchuck (Groundhog) Hunting
- 2) Code Citation: 17 Ill. Adm. Code 550
- 3)

<u>Section Numbers:</u>	<u>Adopted Action:</u>
550.20	Amend
550.30	Amend
- 4) Statutory Authority: Implementing and authorized by Sections 1.3, 1.4, 1.13, 2.1, 2.2, 2.6, 2.7, 2.30, 2.33, 3.5, 3.27, 3.28 and 3.29 of the Wildlife Code [520 ILCS 5/1.3, 1.4, 1.13, 2.1, 2.2, 2.6, 2.7, 2.30, 2.33, 3.5, 3.27, 3.28 and 3.29]
- 5) Effective Date of Rule: December 12, 2013
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this rulemaking contain incorporations by reference? No
- 8) A copy of the adopted rule, including all material incorporated by reference, is on file in the Department of Natural Resources' principal office and is available for public inspection.
- 9) Notice of Proposal published in the *Illinois Register*: July 19, 2013; 37 Ill. Reg. 11010
- 10) Has JCAR issued a Statement of Objection to this rulemaking? No
- 11) Differences between Proposal and Final Version: None
- 12) Have all the changes agreed upon by the Agency and JCAR been made as indicated in the agreements issued by JCAR? No agreements were necessary.
- 13) Will this rulemaking replace an emergency rule currently in effect? No
- 14) Are there any rulemakings pending on this Part? No
- 15) Summary and Purpose of Rulemaking: This Part has been amended to make statewide program changes, open and close state-owned or –managed sites and amend procedures at state sites.

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

- 16) Information and questions regarding this adopted rule shall be directed to:

Shelly Knuppel, Legal Counsel
Department of Natural Resources
One Natural Resources Way
Springfield IL 62702-1271

217/782-1809

The full text of the Adopted Amendments begins on the next page:

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

TITLE 17: CONSERVATION
CHAPTER I: DEPARTMENT OF NATURAL RESOURCES
SUBCHAPTER b: FISH AND WILDLIFEPART 550
RACCOON, OPOSSUM, STRIPED SKUNK, RED FOX, GRAY FOX, COYOTE
AND WOODCHUCK (GROUNDHOG) HUNTING

Section

550.10	General Regulations
550.20	Statewide Regulations
550.30	Raccoon, Opossum, Striped Skunk, Red Fox, Gray Fox, Coyote and Woodchuck (Groundhog) Hunting on Department-Owned, -Leased or -Managed Sites

AUTHORITY: Implementing and authorized by Sections 1.3, 1.4, 1.13, 2.1, 2.2, 2.6, 2.7, 2.30, 2.33, 3.5, 3.27, 3.28 and 3.29 of the Wildlife Code [520 ILCS 5/1.3, 1.4, 1.13, 2.1, 2.2, 2.6, 2.7, 2.30, 2.33, 3.5, 3.27, 3.28 and 3.29].

SOURCE: 5 Ill. Reg. 8833, effective August 25, 1981; codified at 5 Ill. Reg. 10636; emergency amendment at 5 Ill. Reg. 11593, effective October 20, 1981, for a maximum of 150 days; emergency expired March 17, 1982; amended at 6 Ill. Reg. 10714, effective August 20, 1982; amended at 7 Ill. Reg. 10782, effective August 24, 1983; amended at 7 Ill. Reg. 16098, effective November 22, 1983; amended at 8 Ill. Reg. 21593, effective October 23, 1984; amended at 9 Ill. Reg. 16204, effective October 9, 1985; emergency amendment at 9 Ill. Reg. 18151, effective November 12, 1985, for a maximum of 150 days; emergency expired April 11, 1986; amended at 10 Ill. Reg. 16649, effective September 22, 1986; amended at 11 Ill. Reg. 9540, effective May 5, 1987; amended at 12 Ill. Reg. 11730, effective June 30, 1988; amended at 13 Ill. Reg. 10598, effective June 19, 1989; amended at 14 Ill. Reg. 10798, effective June 20, 1990; amended at 15 Ill. Reg. 11598, effective August 2, 1991; amended at 16 Ill. Reg. 11078, effective June 30, 1992; amended at 17 Ill. Reg. 10795, effective July 1, 1993; amended at 18 Ill. Reg. 10090, effective June 21, 1994; amended at 19 Ill. Reg. 11787, effective August 3, 1995; amended at 20 Ill. Reg. 10874, effective August 5, 1996; amended at 21 Ill. Reg. 9077, effective June 26, 1997; amended at 22 Ill. Reg. 14836, effective August 3, 1998; amended at 23 Ill. Reg. 9066, effective July 28, 1999; amended at 24 Ill. Reg. 8938, effective June 19, 2000; amended at 25 Ill. Reg. 9895, effective July 17, 2001; amended at 26 Ill. Reg. 14680, effective September 20, 2002; amended at 28 Ill. Reg. 11873, effective July 27, 2004; amended at 29 Ill. Reg. 12471, effective July 28, 2005; amended at 30 Ill. Reg. 12133, effective June 28, 2006; amended at 31 Ill. Reg. 13106, effective August 30, 2007; amended at 32 Ill. Reg. 10093, effective June 30, 2008; amended at 33 Ill. Reg. 9680, effective June 26, 2009; amended at 34 Ill. Reg. 12808, effective

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August 20, 2010; amended at 35 Ill. Reg. 13137, effective July 26, 2011; amended at 37 Ill. Reg. 20642, effective December 12, 2013.

Section 550.20 Statewide Regulations

- a) Raccoon, Opossum
 - 1) Zones: The State of Illinois is divided by U.S. Rt. 36 (New Rt. 36) into a Northern Zone and Southern Zone.
 - 2) Northern Zone hunting dates: November 5 through the next following February 10, except as noted in Section 550.10(a) of this Section. Hunting outside the set season dates is a Class B misdemeanor (see 520 ILCS 5/2.30).
 - 3) Southern Zone hunting dates: November 10 through the next following February 15, except as noted in Section 550.10(a). Hunting outside the set season dates is a Class B misdemeanor (see 520 ILCS 5/2.30).
 - 4) Hunting hours: November 5 in the Northern Zone and November 10 in the Southern Zone open for hunting at sunrise; during archery deer season, raccoon and opossum bow hunting hours shall coincide with the statewide archery deer hunting hours as specified in Section 2.26 of the Wildlife Code [520 ILCS 5/2.26]; otherwise, hours are unrestricted. Hunting prior to sunrise on opening day is a Class B misdemeanor (see 520 ILCS 5/2.30). Hunting prior to ½ hour before sunrise on opening day or during the archery deer season, or hunting after ½ hour after sunset during the archery deer season, is a Class A misdemeanor with a minimum \$500 fine, and a maximum \$5,000 fine, in addition to other statutory penalties (see 520 ILCS 5/2.33(y)).
 - 5) Daily limit and possession limit: None.
- b) Red fox and gray fox
 - 1) Hunting dates: November 10 through the next following January 31, except as noted in Section 550.10(a). Hunting outside the season dates is a Class B misdemeanor (see 520 ILCS 5/2.30).

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- 2) Hunting hours: Opens November 10 for hunting at sunrise; during archery deer season, red fox and gray fox bow hunting hours shall coincide with the statewide archery deer hunting hours; otherwise, hours are unrestricted. Hunting prior to sunrise on opening day is a Class B misdemeanor (see 520 ILCS 5/2.30). Hunting prior to ½ hour before sunrise on opening day or during the archery deer season, or hunting after ½ hour after sunset during the archery deer season, is a Class A misdemeanor with a minimum \$500 fine and a maximum \$5,000 fine, in addition to other statutory penalties (see 520 ILCS 5/2.33(y)).
 - 3) Daily limit and possession limit: None.
- c) Coyote and Striped Skunk
- 1) Hunting dates: Year around except as noted in Section 550.10(a).
 - 2) Hunting hours: One-half hour before sunrise to ½ hour after sunset, except from the opening date of the red fox and gray fox hunting season through ~~March 15~~[February 15](#), when statewide hunting hours are unrestricted, and except during archery deer season when coyote and striped skunk bow hunting hours shall coincide with the statewide archery deer hunting hours. Hunting before ½ hour prior to sunrise or after ½ hour after sunset is a Class A misdemeanor with a minimum \$500 fine and a maximum \$5,000 fine, in addition to other statutory penalties, except ~~when~~ hours are unrestricted (see 520 ILCS 5/2.33(y)).
 - 3) Daily limit and possession limit: None.
- d) Woodchuck (groundhog)
- 1) Hunting dates: June 1 through the next following March 31, except as noted in Section 550.10(a). Hunting outside the season dates is a Class B misdemeanor (see 520 ILCS 5/2.30).
 - 2) Hunting hours: Sunrise to sunset. Hunting from ½ hour before sunrise to sunrise or from sunset to ½ hour after sunset is a Class B misdemeanor (see 520 ILCS 5/2.30). Hunting prior to ½ hour before sunrise or after ½ hour after sunset is a Class A misdemeanor with a minimum \$500 fine and a maximum \$5,000 fine, in addition to other statutory penalties (see 520

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ILCS 5/2.33(y)).

- 3) Daily limit and possession limit: None.

(Source: Amended at 37 Ill. Reg. 20642, effective December 12, 2013)

Section 550.30 Raccoon, Opossum, Striped Skunk, Red Fox, Gray Fox, Coyote and Woodchuck (Groundhog) Hunting on Department-Owned, -Leased or -Managed Sites

- a) All the regulations in 17 Ill. Adm. Code 510 – General Hunting and Trapping apply in this Section, unless this Section is more restrictive.
- b) For sites where hunter quotas exist and permits are required a drawing shall be held prior to the opening of the season. The date of the drawing shall be announced by the Department by public announcement and the drawing shall be held at the site. The number of permits per site shall be determined pursuant to 17 Ill. Adm. Code 510.20. [Sites that require use of windshield cards by hunters as specified in 17 Ill. Adm. Code 510.10 are followed by \(1\).](#)
- c) .22 caliber or smaller rimfire firearms permitted from sunset to sunrise unless otherwise specified.
- d) Coyote and striped skunk season shall coincide with the statewide fox season unless otherwise specified.
- e) No woodchuck (groundhog) hunting allowed unless otherwise specified.
- f) Statewide regulations as provided for in this rule apply at the following sites (exceptions are in parentheses):

[Alvah Borah State Habitat Area \(1\)](#)

Anderson Lake Conservation Area (all hunting to begin after the close of duck season)

Apple River Canyon State Park – [Thompson and Salem Units \(1\)](#)

Argyle Lake State Park [\(1\)](#)

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Banner Marsh State Fish and Wildlife Area (coyote only; coyotes can be taken with archery equipment when the site is open to archery deer hunting during archery shooting hours; coyotes can be taken with shotguns, no deer slugs allowed, on days when the site is open to upland hunting with upland shooting hours)

Big Bend State Fish and Wildlife Area (coyote season from August 1 through the following February 28)

Big River State Forest [\(1\)](#)

Butterfield Trail State Recreation Area

Cache River State Natural Area

Campbell Pond Wildlife Management Area [\(1\)](#)

Cape Bend State Fish and Wildlife Area

Carlyle Lake Lands and Waters – Corps of Engineers Management Lands

Carlyle Lake [State Fish and Wildlife Management Area](#) (subimpoundment area closed 7 days prior to and during the southern zone waterfowl season) [\(1\)](#)

[Chauncey Marsh State Natural Area \(1\)](#)

[Clinton Lake State Recreation Area \(1\)](#)

[Coffeen Lake State Fish and Wildlife Area \(coyote only; shotgun or bow and arrow; open only during the statewide fox season\) \(1\)](#)

[Copperhead Hollow State Wildlife Area \(1\)](#)

[Crawford County State Fish and Wildlife Area \(1\)](#)

Cypress Pond State Natural Area

Deer Pond State Natural Area

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[Des Plaines State Fish and Wildlife Area \(coyote only, no dogs allowed; season opens the day after archery deer season closes and ends February 28; shotgun with shotshells only\) \(1\)](#)

Devil's Island State Fish and Wildlife Area

Dog Island Wildlife Management Area [\(1\)](#)

[Eagle Creek State Park \(season opens day after second firearm deer season; closes December 20; hunting sunset to sunrise only; raccoon only\) \(1\)](#)

Eldon Hazlet State Park (north of Allen Branch and west of Peppenhorst Branch)

Ferne Clyffe State Park – Cedar Draper Bluffs Hunting Area

Fort de Chartres Historic Site (muzzleloading firearms or bow and arrow only)

[Fox Ridge State Park \(1\)](#)

[Freeman Mine \(1\)](#)

[Green River State Wildlife Area \(skunk and coyote close the last day of February; .22 rimfire firearms permitted from 30 minutes after sunset until 30 minutes before sunrise\) \(1\)](#)

[Hamilton County Conservation Area \(1\)](#)

Hanover Bluff State Natural Area [\(1\)](#)

[Harry "Babe" Woodyard State Natural Area \(1\)](#)

[Hennepin Canal State Trail \(archery only; coyote and raccoon only; season open only when the site archery deer season is open\) \(1\)](#)

[Hidden Springs State Forest \(1\)](#)

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Horseshoe Lake Conservation Area – Alexander County (Public Hunting Area except Controlled Hunting Area)

[Iroquois County Wildlife Management Area \(season opens the day after permit pheasant season\) \(1\)](#)

[Jim Edgar Panther Creek State Fish and Wildlife Area \(statewide seasons for coyote and striped skunk\) \(1\)](#)

Johnson Sauk Trail State Recreation Area (archery only; coyote and fox only; site coyote season runs concurrently with the site archery deer season; site fox season begins when the statewide fox season opens, runs concurrently with the site archery deer season, and closes the earlier of either the statewide fox season closing or the site archery deer season closing) (1)

Kankakee River State Park (coyote, fox, skunk and opossum may be taken during their respective seasons that fall within the archery deer season by archery only; shotgun only hunting opens the day after the close of the site upland game season or archery deer season, whichever is later, and closes with the close of the statewide fox season) (1); ~~statewide hours; hunters must sign in/sign out and report harvest and effort at check station~~

Kaskaskia River State Fish and Wildlife Area (Doza Creek Waterfowl Management Area closed 7 days prior to and during duck season; the defined Baldwin Lake Waterfowl Rest Area is closed)

[Kickapoo State Recreation Area \(1\)](#)

Kinkaid Lake Fish and Wildlife Area

[Lincoln Trail State Park \(season opens day after first firearm deer season; closes December 20; hunting hours sunset to sunrise only; raccoon only\) \(1\)](#)

Marseilles State Fish and Wildlife Area (coyote ~~and fox~~ only; [November 5 through the first Thursday after January 10; fox closes first Thursday after January 10; coyote open to hunting from August 1 until the first Thursday](#)

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~~after January 10 and when other hunting seasons are open on the site; not open during spring turkey season;~~ hunting hours are 30 minutes before sunrise ~~to 30 minutes after~~until sunset; ~~shotgun with shotshells only; use of dogs is prohibited; hunters must sign in/out and report harvest at check station;~~ unauthorized personnel may not be on the site outside of the posted check station operating hours; hunters ~~must~~may only enter the site only from designated parking lots)

Marshall ~~State~~County Fish and Wildlife Area (raccoon, opossum open to statewide regulations; skunk, red fox, gray fox, coyote and woodchuck open to archery during the archery deer season and statewide regulations after the close of archery deer~~only~~; ~~season opens day after duck season~~) (1)

Marshall State Fish and Wildlife Area – Duck Ranch Unit (raccoon and opossum only; opens the day after the close of duck~~season~~)

Mautino State Fish and Wildlife Area (archery only; coyote and raccoon only; season open only when the site archery deer season is open) (1)

Mazonia State Fish and Wildlife Area (archery only; coyote, fox, raccoon, skunk and opossum may be taken during their respective seasons that fall within the archery deer hunting season; statewide hours; hunters must sign-in/sign-out and report harvest and effort at the check station)

Meeker State Habitat Area (1)

Mermet Lake State Fish and Wildlife Area (hunting limited to upland game area; hunting hours ½ hour before sunrise to ½ hour after sunset) (1)

Mississippi River Fish and Waterfowl Management Area (Pools 25 and 26)

Mississippi River Pools 16, 17, 18, 21, 22 and 24 (groundhog hunting allowed)~~(e)~~

Momence Wetlands State Natural Area (archery only; coyote, fox, raccoon, skunk and opossum may be taken during their respective seasons that fall within the archery deer hunting season; statewide hours; hunters

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must sign-in/sign-out and report harvest and effort at check station)

Moraine View State Park (~~coyote open~~~~archery only; coyote only; season runs~~ concurrently with site archery deer ~~hunting, archery only; raccoon opens the second Monday in December, night hunting only~~~~season~~) (1)

Oakford Conservation Area

Peabody River King State Fish and Wildlife Area (except South Subunit; shotgun or bow only; no deer slugs allowed; coyote season open from August 1 through the following February 28 and during the spring turkey season to hunters with a valid, unfilled turkey permit; use of dogs for hunting coyotes is prohibited)

[Pyramid State Park \(1\)](#)

[Pyramid State Park – Captain Unit \(no hunting on waterfowl refuge\) \(1\)](#)

[Pyramid State Park – Denmark Unit \(no hunting on waterfowl refuge\) \(1\)](#)

[Pyramid State Park – East Conant Unit \(1\)](#)

[Pyramid State Park – Galum Unit \(1\)](#)

Rall Woods State Natural Area [\(1\)](#)

Randolph County Conservation Area

Ray Norbut State Fish and Wildlife Area [\(1\)](#)

Rend Lake Project Lands and Waters

[Sahara Woods State Fish and Wildlife Area \(1\)](#)

[Saline County Fish and Wildlife Area \(1\)](#)

[Sam Dale Lake State Fish and Wildlife Area \(1\)](#)

[Sam Parr State Park \(1\)](#)

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[Sand Ridge State Forest \(coyote and striped skunk seasons – opening of the statewide raccoon season until the day before opening of the statewide spring turkey season\) \(1\)](#)

Sangamon County Conservation Area

[Sanganois State Fish and Wildlife Area \(statewide seasons for coyote and striped skunk\) \(1\)](#)

[Sangchris Lake State Park \(fox, coyote and striped skunk hunting only; statewide seasons for fox, coyote and striped skunk, except, during central zone duck and Canada goose season, hunters pursuing waterfowl or upland game may take fox, coyote and striped skunk with shotgun only in accordance with site-specific regulations set forth in 17 Ill. Adm. Code 530 and 590\) \(1\)](#)

Shawnee National Forest, Oakwood Bottoms and LaRue Scatters (season closes 7 days before opening of duck season and remains closed through the duck season; at Oakwood Bottoms non-toxic shot only)

[Shelbyville State Fish and Wildlife Area \(1\)](#)

Sielbeck Forest Natural Area

Siloam Springs State Park

Silver Springs State Fish and Wildlife Area (coyote only, no dogs allowed; season open from the day after archery deer season ends through the last day of February; shotgun with shotshells only; sign-in/sign-out and report of harvest required)

Skinner Farm State Habitat Area

Spoon River State Forest [\(1\)\(all hunters must sign in/sign out\)](#)

[Stephen A. Forbes State Park \(1\)](#)

Tapley Woods State Natural Area [\(1\)\(shotguns or muzzleloading rifles](#)

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~~only may be used from sunset-sunrise)~~

Ten Mile Creek State Fish and Wildlife Area (statewide coyote, striped skunk and groundhog hunting allowed; .22 caliber or smaller rimfire firearms permitted 24 hours a day) (1)

Trail of Tears State Forest

Turkey Bluffs State Fish and Wildlife Area

Walnut Point State Park (~~sign in/sign out required~~; raccoon hunting only) (1)

Washington County Conservation Area

Weinberg-King State Park (1)(e)-(d)

Weinberg-King State Park – Scripps Unit (use of dogs for hunting coyote is not allowed) (1)

Weinberg-King State Park – Spunky Bottoms Unit (1)

Wildcat Hollow State Forest (1)

Winston Tunnel State Natural Area (1)

Wise Ridge State Natural Area

Witkowsky State Wildlife Area (coyote only; season shall coincide with archery and firearm deer season at this site; archery only during the archery deer season at this site) (1)

Wolf Creek State Park (season opens day after second firearm deer season; closes December 20; hunting sunset to sunrise only; raccoon only) (1)

Woodford County Fish and Wildlife Area (raccoon, opossum only; season opens after duck season) (1)

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- g) Violation of a site-specific regulation is a Class B misdemeanor. Statewide regulations apply except that hunters must obtain a permit from the [site](#)~~Department~~; where hunter quotas exist, permits are allocated as described in subsection (b); permits must be in possession while hunting; the permit must be returned by February 15 or hunter will forfeit hunting privileges at that site the following year (exceptions are in parentheses):

~~Beaver Dam State Park (bow and arrow only; [for hunters with a valid site issued archery deer permit only](#))~~

~~Chauncey Marsh (obtain permit at Red Hills State Park Headquarters)~~

~~Clinton Lake State Recreation Area~~

~~Coffeen Lake State Fish and Wildlife Area (coyote only, shotgun or bow and arrow)~~

~~Copperhead Hollow State Wildlife Area (raccoon and coyote only)~~

~~Crawford County Conservation Area~~

~~Des Plaines State Fish and Wildlife Area (coyote only, no dogs allowed; season opens the day after archery deer season closes and ends February 28; shotgun with shotshells only; site permit required)~~

~~Eagle Creek State Park (season opens day after second firearm deer season; closes December 20; hunting sunset to sunrise only; raccoon only)~~

~~Fox Ridge State Park~~

~~Green River State Wildlife Area (skunk and coyote close the last day of February; .22 rimfire firearms permitted from 30 minutes after sunset until 30 minutes before sunrise)~~

~~Hamilton County Conservation Area~~

~~Harry "Babe" Woodyard State Natural Area~~

~~Hennepin Canal State Trail (archery only; coyote and raccoon only;~~

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~~season open only when the site archery deer season is open)~~

~~Hidden Springs State Forest~~

Horseshoe Lake State Park (Madison County) (coyote only, bow and arrow only; ~~for hunters with a valid site issued archery deer permit only)~~

Horseshoe Lake State Park (Madison County) – Gabaret, Mosenthein, Chouteau Island Unit (shotgun and bow and arrow only)

~~Iroquois County Wildlife Management Area (season opens the day after Permit Pheasant Season)~~

~~Jim Edgar Panther Creek State Fish and Wildlife Area (statewide seasons for coyote and striped skunk)~~

~~Kankakee River State Park (no rifle or handgun hunting allowed; the furbearer hunting season opens the day after the last day of the site's upland hunting seasons through statewide close of respective seasons for furbearers except striped skunk and coyote close with fox season)~~

~~Kickapoo State Park~~

~~Lake Shelbyville—Kaskaskia and West Okaw Wildlife Management Areas~~

~~Lincoln Trail State Park (season opens day after first firearm deer season; closes December 20; hunting hours sunset to sunrise only; raccoon only)~~

Matthiessen State Park (season closed during the site firearm or muzzleloader deer seasons; site permit may be obtained at the Starved Rock State Park office; hunting hours are from 30 minutes after sunset until 30 minutes before sunrise; raccoon or opossum only; hunting south of the Vermilion River Area only; no dogs allowed)

~~Mautino State Fish and Wildlife Area (archery only; coyote and raccoon only; season open only when the site archery deer season is open)~~

~~Meeker State Habitat Area (obtain permit at Sam Parr State Park~~

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~~headquarters)~~

~~Middle Fork Fish and Wildlife Management Area~~

~~Moraine View State Park (season opens the second Monday in December;
night hunting only; raccoon only)~~

~~Pyramid State Park~~

~~Pyramid State Park—Captain Unit (no hunting on waterfowl refuge)~~

~~Pyramid State Park—Denmark Unit (no hunting on waterfowl refuge)~~

~~Pyramid State Park—East Conant Unit~~

~~Pyramid State Park—Galum Unit~~

~~Ramsey Lake State Park~~

~~Sahara Woods State Fish and Wildlife Area~~

~~Saline County Fish and Wildlife Area~~

~~Sam Dale Lake State Fish and Wildlife Area~~

~~Sam Parr State Park~~

~~Sand Ridge State Forest (coyote and striped skunk seasons—opening of
the statewide raccoon season until the day before opening of the statewide
spring turkey season)~~

~~Sanganois State Fish and Wildlife Area (statewide seasons for coyote and
striped skunk)~~

~~Sangchris Lake State Park (fox, coyote and striped skunk hunting only;
statewide seasons for fox, coyote and striped skunk except, during central
zone duck and Canada goose season, hunters pursuing waterfowl or
upland game may take fox, coyote and striped skunk with shotgun only in
accordance with site specific regulations set forth in 17 Ill. Adm. Code~~

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~~530 and 590)~~

~~Stephen A. Forbes State Park~~

~~Ten Mile Creek State Fish and Wildlife Area (statewide coyote, striped skunk, and groundhog hunting allowed; .22 caliber or smaller rimfire firearms permitted 24 hours a day)~~

~~Wolf Creek State Park (season opens day after second firearm deer season; closes December 20; hunting sunset to sunrise only; raccoon only)~~

h) Violation of a site regulation is a Class B misdemeanor (see 520 ILCS 5/2.30).

(Source: Amended at 37 Ill. Reg. 20642, effective December 12, 2013)

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- 1) Heading of the Part: Muskrat, Mink, Raccoon, Opossum, Striped Skunk, Weasel, Red Fox, Gray Fox, Coyote, Badger, River Otter, Beaver and Woodchuck (Groundhog) Trapping
- 2) Code Citation: 17 Ill. Adm. Code 570
- 3)

<u>Section Numbers</u> :	<u>Adopted Action</u> :
570.30	Amendment
570.40	Amendment
- 4) Statutory Authority: Implementing and authorized by Sections 1.2, 1.3, 2.30, 2.33 and 3.5 of the Wildlife Code [520 ILCS 5/1.2, 1.3, 2.30, 2.33 and 3.5]
- 5) Effective Date of Rule: December 12, 2013
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this rulemaking contain incorporations by reference? No
- 8) A copy of the adopted rule, including all material incorporated by reference, is on file in the Department of Natural Resources' principal office and is available for public inspection.
- 9) Notice of Proposal published in the *Illinois Register*: August 16, 2013; 37 Ill. Reg. 13133
- 10) Has JCAR issued a Statement of Objection to this rulemaking? No
- 11) Differences between Proposal and Final Version: None
- 12) Have all the changes agreed upon by the Agency and JCAR been made as indicated in the agreements issued by JCAR? No agreements were necessary.
- 13) Will this rulemaking replace an emergency rule currently in effect? No
- 14) Are there any rulemakings pending on this Part? No
- 15) Summary and Purpose of Rulemaking: This Part has been amended to make Statewide program changes, open and close State-owned or –managed sites and amend procedures at State sites.

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- 16) Information and questions regarding this adopted rule shall be directed to:

George Sisk, Legal Counsel
Department of Natural Resources
One Natural Resources Way
Springfield IL 62702-1271

217/782-1809

The full text of the Adopted Amendments begins on the next page:

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

TITLE 17: CONSERVATION
CHAPTER I: DEPARTMENT OF NATURAL RESOURCES
SUBCHAPTER b: FISH AND WILDLIFE

PART 570

MUSKRAT, MINK, RACCOON, OPOSSUM, STRIPED SKUNK, WEASEL,
RED FOX, GRAY FOX, COYOTE, BADGER, RIVER OTTER, BEAVER AND
WOODCHUCK (GROUNDHOG) TRAPPING

Section

570.10	Statewide Zones
570.20	Statewide Season Dates
570.30	Statewide Hours, Daily Limit and Possession Limit, Permit and Tagging Requirements
570.35	Use of .22 Rimfire Rifles by Trappers During Deer Gun Season
570.40	Trapping Regulations on Department-Owned, -Leased or -Managed Sites

AUTHORITY: Implementing and authorized by Sections 1.2, 1.3, 2.30, 2.33 and 3.5 of the Wildlife Code [520 ILCS 5/1.2, 1.3, 2.30, 2.33 and 3.5].

SOURCE: Adopted at 5 Ill. Reg. 9767, effective September 17, 1981; codified at 5 Ill. Reg. 10637; amended at 6 Ill. Reg. 10709, effective August 20, 1982; amended at 7 Ill. Reg. 10778, effective August 24, 1983; amended at 8 Ill. Reg. 21589, effective October 23, 1984; amended at 9 Ill. Reg. 15864, effective October 7, 1985; amended at 10 Ill. Reg. 16644, effective September 24, 1986; amended at 12 Ill. Reg. 12034, effective July 7, 1988; emergency amendments at 12 Ill. Reg. 16261, effective September 23, 1988, for a maximum of 150 days; emergency expired February 20, 1989; amended at 13 Ill. Reg. 10589, effective June 15, 1989; amended at 14 Ill. Reg. 14775, effective September 4, 1990; amended at 14 Ill. Reg. 19854, effective December 3, 1990; amended at 15 Ill. Reg. 11586, effective August 2, 1991; amended at 16 Ill. Reg. 11069, effective June 30, 1992; amended at 17 Ill. Reg. 10785, effective July 1, 1993; amended at 17 Ill. Reg. 18796, effective October 19, 1993; amended at 18 Ill. Reg. 10077, effective June 21, 1994; amended at 19 Ill. Reg. 12640, effective August 29, 1995; amended at 20 Ill. Reg. 12351, effective August 30, 1996; amended at 21 Ill. Reg. 9070, effective June 26, 1997; amended at 22 Ill. Reg. 14809, effective August 3, 1998; amended at 23 Ill. Reg. 9055, effective July 28, 1999; amended at 24 Ill. Reg. 8929, effective June 19, 2000; amended at 25 Ill. Reg. 9887, effective July 17, 2001; amended at 26 Ill. Reg. 13809, effective September 5, 2002; amended at 27 Ill. Reg. 749, effective January 6, 2003; amended at 28 Ill. Reg. 11883, effective July 27, 2004; amended at 29 Ill. Reg. 9643, effective June 27, 2005; amended at 30 Ill. Reg. 12143, effective June 28, 2006; amended at 31 Ill. Reg. 13117, effective August 30, 2007; amended at 32 Ill. Reg.

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10104, effective June 30, 2008; amended at 33 Ill. Reg. 9691, effective June 26, 2009; amended at 34 Ill. Reg. 12820, effective August 20, 2010; amended at 35 Ill. Reg. 13149, effective July 26, 2011; amended at 36 Ill. Reg. 14408, effective September 5, 2012; amended at 37 Ill. Reg. 20659, effective December 12, 2013.

Section 570.30 Statewide Hours, Daily Limit and Possession Limit, Permit and Tagging Requirements

- a) Muskrat, mink, raccoon, opossum, striped skunk, red fox, gray fox, coyote and weasel
 - 1) Trapping hours: November 5 in the Northern Zone and November 10 in the Southern Zone open for trapping at sunrise; January 20 in the Northern Zone and January 25 in the Southern Zone closed for trapping after sunset; otherwise, hours are unrestricted.
 - 2) Daily and possession limit: None
- b) Beaver and River Otter
 - 1) Trapping hours: November 5 in the Northern Zone and November 10 in the Southern Zone open for trapping at sunrise; March 31 closed for trapping after sunset; otherwise, hours are unrestricted.
 - 2) Daily and possession limit: None for beaver; not to exceed 5 river otters per person, per season. Possession limit for river otter does not apply to fur buyers, fur tanners, taxidermists or manufacturers as defined by 520 ILCS 5/3.11, 3.12, 3.15, 3.16, 3.16a, 3.18 and 3.21. River otters salvaged from roadways under authority of 520 ILCS 5/2.30 become part of the person's season limit of 5 river otters and are subject to permit and tagging requirements. Having more river otter than allowed is a Class B misdemeanor (see 520 ILCS 5/2.30).
 - 3) Permit Requirement
 - A) Trappers must purchase a River Otter Registration Permit within 48 hours after taking each otter that becomes part of their daily limit.

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- B) The cost of a River Otter Registration Permit is \$5.
- C) River Otter Registration Permits must be purchased by the same individual who trapped a river otter and are not transferable.
- DE) Failure to purchase a River Otter Registration Permit, ~~or~~ failure to do so within the specified time limit and transfer of a River Otter Registration permit are ~~is a~~ Class B misdemeanors~~misdemeanor~~ (see 520 ILCS 5/2.30).
- 4) Tagging Requirement
- A) A United States Convention on International Trade in Endangered Species (U.S. CITES) pelt tag issued by the Department must be permanently affixed to the green hide of each river otter and sealed before the green hide is exported from the United States or transferred to a fur buyer, fur tanner, taxidermist or manufacturer.
- B) It is unlawful to possess more unsealed U.S. CITES tags issued by the Department than green hides of river otters in possession.
- C) Unsealed U.S. CITES tags are not transferable.
- DE) Failure to permanently affix and seal a U.S. CITES tag issued by the Department to the green hide of a river otter before transferring it to a fur buyer, fur tanner, taxidermist or manufacturer is a Class B misdemeanor (see 520 ILCS 5/2.30b). Possessing more unsealed U.S. CITES tags issued by the Department than green hides of river otter is a Class B misdemeanor (see 520 ILCS 5/2.30b). Transferring an unsealed U.S. CITES tag to another individual is a Class B misdemeanor. Unless an alternative method has been approved by the U.S. Fish and Wildlife Services, each fur skin to be exported or re-exported must have a U.S. CITES tag permanently attached (50 CFR 23.69) (August 23, 2007) (no incorporation in this Part includes later amendments or editions).
- c) Woodchuck (Groundhog)
- 1) Trapping hours: June 1 open for trapping at sunrise; September 30 closed

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for trapping after sunset; otherwise hours are unrestricted.

- 2) Daily and possession limit: None
- d) Badger
 - 1) Trapping hours: November 5 in the Northern Zone and November 10 in the Southern Zone open for trapping at sunrise; January 20 in the Northern Zone and January 25 in the Southern Zone closed for trapping after sunset; otherwise, hours are unrestricted.
 - 2) Daily and possession limit: not to exceed two badgers per season in the northern zone and one badger per season in the Southern Zone. Having more badger than allowed is a Class B misdemeanor (see 520 ILCS 5/2.30).
- e) Muskrat and Mink (Extended Spring Season)
Trapping hours: January 20 in the Northern Zone and January 25 in the Southern Zone open for trapping at sunset; February 15 closed for trapping after sunset; otherwise, hours are unrestricted.
- f) Trapping before specified hours on opening day or after specified hours on closing day is a Class B misdemeanor (see 520 ILCS 5/2.30).

(Source: Amended at 37 Ill. Reg. 20659, effective December 12, 2013)

Section 570.40 Trapping Regulations on Department-Owned, -Leased or -Managed Sites

- a) General Regulations
 - 1) All the regulations in 17 Ill. Adm. Code 510 – General Hunting and Trapping apply in this Section, unless this Section is more restrictive.
 - 2) On areas where special Department tags are required for trappers, traps without tags attached will be subject to confiscation.
 - 3) Trappers must stay within assigned areas.
 - 4) On sites where~~For sites where permits are required~~ a drawing is required.

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it shall be held prior to the opening of the season. The date of the drawing shall be announced by the Department by public announcement (publicly announced means that the information referred to will be included on the Department's Internet Home Page at www.dnr.illinois.gov~~http://dnr.state.il.us, published in Outdoor Illinois~~, provided to outdoor writers for newspapers, and placed on the Department's Toll Free Hotline) and the drawing shall be held at the site. Persons participating in the drawing must have either a current or previous year trapping license. The number of permits per site shall be determined pursuant to 17 Ill. Adm. Code 510.20. Permit applicants must submit name and address to the site prior to drawing. Permits must be in possession while trapping on the area. Sites that require a drawing are followed by (1). Sites that require use of windshield cards by trappers as specified in 17 Ill. Adm. Code 510.10 are followed by (2).

- 5) All sites except Kinkaid Lake Fish and Wildlife Area, Mississippi River Pools 16, 17, 18, 21, 22, 24, and Rend Lake Wildlife Management Area require trappers to submit a harvest report to the site superintendent within 20 days following the close of the trapping season. Reports for sites that require use of windshield cards must be submitted online at the Department's website. Failure to report shall result in the trapper being ineligible to trap at that site for the following year.
 - 6) Body-gripping traps with a 10-inch jaw spread or larger must be totally submerged in water when set.
 - 7) Any person who violates the site specific regulations shall be guilty of a Class B Misdemeanor.
 - 8) No trapping is permitted in subimpoundments or designated waterfowl management units during duck season.
 - 9) .22 caliber or smaller rimfire firearms permitted unless otherwise specified.
- b) Statewide regulations as provided for in this Part apply at the following sites (exceptions in parentheses):

Alvah Borah State Habitat Area (2)

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Beall Woods State Park (water sets only; ~~site permit required~~) (1)

Chauncey Marsh State Natural Area (obtain permit at Red Hills State Park headquarters) (1)

~~Copperhead Hollow State Wildlife Area (site permit required)~~

Des Plaines Game Propagation Center (1) ~~(site permit required)~~

Frank Holten State Park (water sets only; designated areas only)

Kinkaid Lake Fish and Wildlife Area

Mississippi River Pools 16, 17, 18, 21, 22, 24 (~~no-USFWS~~ trapping permit required on U.S. Fish and Wildlife Service National Wildlife Refuges in Pools 21, ~~22~~ and 24; Quincy Bay Waterfowl Management Unit closed to trapping during the regular duck season)

Pyramid State Park (water sets only)

Ray Norbut State Fish and Wildlife Area (2)

Red Hills State Park (2) ~~(site permit required)~~

Rend Lake Project Lands and Waters (water sets only)

Sam Parr State Park (water sets only; ~~site permit required~~) (1)

Sielbeck Forest Natural Area (water sets only) (2)

Siloam Springs State Park

Snakeden Hollow State Fish and Wildlife Area (1) ~~(site permit required)~~

Weinberg-King State Park – Scripps Unit (1) (2) ~~(site permit required)~~

Weinberg-King State Park – Spunky Bottoms Unit (1) (2) ~~(site permit required)~~

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World Shooting and Recreation Complex (~~site permit required~~, drawing if needed; water sets only; designated areas only) (1)

- c) Statewide regulations as provided for in this Part apply at the following sites; in addition, a permit is required; only Egg Traps[®], D-P (Dog-Proof) Traps[®], box traps, cage traps, and traps of similar design may be used for land sets (exceptions in parentheses):

Butterfield Trail State Recreation Area (1) (2)

Cache River State Natural Area (no snares allowed) (1)

Cape Bend State Fish and Wildlife Area (1)

Carlyle Lake Lands and Waters – Corps of Engineers Managed Lands (1)

Carlyle Lake Wildlife Management Area (1)

Clinton Lake Recreation Area (1) (2)

Cypress Pond State Natural Area (1)

Deer Pond State Natural Area (1)

Devil's Island State Fish and Wildlife Area (1)

Eldon Hazlet State Park – north of Allen Branch and west of Peppenhorst Branch only (1)

Ferne Clyffe State Park – Cedar Draper Bluffs Hunting Area (1)

Fort de Chartres Historic Site (1)

Harry "Babe" Woodyard State Natural Area (1) (2)

Hindsboro Pheasant Habitat Area (2)

Horseshoe Lake Conservation Area (1)

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I & M Canal State Park [\(1\)](#)

Kaskaskia River Fish and Wildlife Area (Doza Creek Waterfowl Management Area closed 7 days prior to duck season; the defined Baldwin Lake Waterfowl Rest Area is closed) [\(1\)](#)

Kickapoo State Recreation Area [\(1\)](#) [\(2\)](#)

Kidd Lake State Natural Area [\(1\)](#)

Lake Murphysboro State Park [\(1\)](#)

Lake Shelbyville – Kaskaskia and West Okaw Management Areas (no more than 50 traps may be used per permit) [\(1\)](#) [\(2\)](#)

[Lincoln Trail State Park \(raccoon only\) \(1\) \(2\)](#)

Lowden State Park – Kilbuck Creek Habitat Area [\(1\)](#)

Meeker State Habitat Area [\(1\)](#) [\(2\)](#) ~~(obtain permit at Sam Parr State Park headquarters)~~

Mermet Lake Fish and Wildlife Area [\(1\)](#) [\(2\)](#)

Middle Fork State Fish and Wildlife Area [\(1\)](#) [\(2\)](#)

Mississippi River Fish and Waterfowl Area (Pools 25, 26) (land sets accessed by land only allowed during duck season; water sets allowed after duck season closes) [\(1\)](#)

Moraine Hills State Park (water sets only; only body-gripping traps with a jaw spread of 5 inches or less may be used; no more than two persons may enter drawing on a single card) [\(1\)](#)

Moraine View State Park (no more than 2 persons may enter drawing on a single card) [\(1\)](#) [\(2\)](#)

[Paul C. Burrus Habitat Area \(2\)](#)

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Peabody River King Fish and Wildlife Area (east, west, and south subunits only) [\(1\)](#)

Pyramid State Park – East Conant Unit [\(1\)](#)

Pyramid State Park – Galum Unit [\(1\)](#)

Randolph County Conservation Area [\(1\)](#)

[Sand Ridge State Forest \(1\) \(2\)](#)

Sanganois Fish and Wildlife Area [\(1\) \(2\)](#)

South Shore State Park [\(1\)](#)

Ten Mile Creek State Fish and Wildlife Area [\(1\) \(2\)](#)

Turkey Bluffs Fish and Wildlife Area [\(1\)](#)

Union County Conservation Area [\(1\)](#)

Washington County Conservation Area [\(1\)](#)

[Willow Creek Habitat Area \(2\)](#)

Wise Ridge State Natural Area [\(1\)](#)

- d) Statewide regulations as provided for in this Part apply at the following sites (exceptions in parentheses); in addition, a permit is required; only Egg Traps[®], D-P (Dog-Proof) Traps[®], box traps, cage traps, and traps of similar design may be used for land sets; only body-gripping traps with a jaw spread of 5 inches or less, foothold traps with a jaw spread of 4½ inches or less and square body-gripping traps with a 10 inch jaw spread may be used for water sets; snares may be used for water sets:

Anderson Lake Conservation Area [\(1\)](#)

Argyle Lake State Park [\(1\)](#)

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Banner Marsh State Fish and Wildlife Area (1)

Beaver Dam State Park (1)

Big Bend Fish and Wildlife Area (after the close of rabbit season foothold traps with a jaw spread of 7½ inches or less may be used for water sets) (1)

Coffeen Lake State Fish and Wildlife Area (1)

Coleta Ponds (1)

Copperhead Hollow State Wildlife Area (1) (2)

Dog Island Wildlife Management Area (1) (2)

Double T State Fish and Wildlife Area (1)

Giant City State Park (1)

Hamilton County State Fish and Wildlife Area (closed during firearm deer season) (1) (2)

Hanover Bluff State Natural Area (1)

Hennepin Canal Parkway including Sinnissippi Lake (trappers must register at park office; no floats may be set more than 14 days prior to the season and must be removed at the conclusion of the season; no land sets) (1)

Hidden Springs State Forest (1) (2)

Horseshoe Lake State Park – Madison County (1)

Horseshoe Lake State Park (Gabaret, Mosenthein and Chouteau Island Units (Madison County)) (1)

Ilo Dillin Habitat Area (use of foothold traps prohibited during pheasant

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and quail season) (1)

Jim Edgar Panther Creek State Fish and Wildlife Area (only Egg Traps[®], D-P (Dog-Proof) Traps[®], box traps, cage traps, traps of similar design, and homemade dog-proof traps; homemade dog-proof traps must be designed with a leg hold trap no larger than a number two size in an enclosed wood, metal or durable plastic container with a single access opening of no larger than 1½ inch diameter, and body-gripping traps must be completely submerged) (1) (2)

Johnson-Sauk Trail State Park (no foothold water sets) (1)

Jubilee College State Park (1)

Kankakee River State Park (trappers must wear blaze orange while checking traps; no trapping adjacent to bike or horse trails; south of the Kankakee River, only dog proof type traps may be used until the close of the upland hunting season; no trapping on campground areas until closed) (1)

Kishwaukee River State Fish and Wildlife Area (site trapping season ends on the last day of archery deer season) (1)

Lake Le-Aqua-Na State Park (1)

Little Rock Creek State Habitat Area (1)

Mackinaw River State Fish and Wildlife Area (1)

Marshall County Fish and Wildlife Area (1)

Mautino State Fish and Wildlife Area (trappers must register at the Hennepin Canal office; no floats may be set more than 14 days prior to the season and must be removed at the conclusion of the season; no land sets) (1)

Morrison Rockwood State Park (1)

Pekin Lake State Fish and Wildlife Area (1)

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Pyramid State Park – Captain Unit (no trapping on waterfowl refuge during waterfowl season; no foothold traps; body-gripping traps must be submerged) (1)

Pyramid State Park – Denmark Unit (no trapping on waterfowl refuge during waterfowl season; no foothold traps; body-gripping traps must be submerged) (1)

Ramsey Lake State Park (1)

Rice Lake State Fish and Wildlife Area (1)

Rock Cut State Park (1)

Saline County State Fish and Wildlife Area (1) (2)

Sam Dale Lake Conservation Area (1) (2)

Sahara Woods State Fish and Wildlife Area (1) (2)

Sangchris Lake State Park (1) (2)

Shabbona Lake State Park (1)

Sparland Fish and Wildlife Area (1)

Spoon River State Forest (1) (2)

Spring Lake State Fish and Wildlife Area (1)

Starved Rock/Matthiessen State Park (1)

Stephen A. Forbes State Park (1) (2)

Trail of Tears State Forest (1)

Weldon Springs State Park (1) (2) ~~(permit required by site drawing)~~

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- e) Trapping is prohibited on all other Department-owned, -leased or -managed sites except by special permit which shall be issued by the Department when it is determined that the harvest of a species would enhance the biological balance of the resource.
 - 1) All regulations shall be according to species regulations as provided for in this Part.
 - 2) Permit application information and site specific regulations shall be announced publicly by the Department through the news media by September 1 of each year.
 - 3) Site specific regulations shall be listed on the application and permit and posted at the site.
- f) Violation of site specific regulations is a Class B misdemeanor (see 520 ILCS 5/2.30).

(Source: Amended at 37 Ill. Reg. 20659, effective December 12, 2013)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENT

- 1) Heading of the Part: Squirrel Hunting
- 2) Code Citation: 17 Ill. Adm. Code 690
- 3) Section Number: 690.30 Adopted Action:
Amend
- 4) Statutory Authority: Implementing and authorized by Sections 1.2, 1.3, 1.4, 2.1, 2.2, 2.28 and 3.5 of the Wildlife Code [520 ILCS 5/1.2, 1.3, 1.4, 2.1, 2.2, 2.28 and 3.5]
- 5) Effective Date of Rule: December 12, 2013
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this rulemaking contain incorporations by reference? No
- 8) A copy of the adopted rule, including all material incorporated by reference, is on file in the Department of Natural Resources' principal office and is available for public inspection.
- 9) Notice of Proposal published in the *Illinois Register*: August 16, 2013; 37 Ill. Reg. 13226
- 10) Has JCAR issued a Statement of Objection to this rulemaking? No
- 11) Differences between Proposal and Final Version: None
- 12) Have all the changes agreed upon by the Agency and JCAR been made as indicated in the agreements issued by JCAR? No agreements were necessary.
- 13) Will this rulemaking replace any emergency rule currently in effect? No
- 14) Are there any rulemakings pending on this Part? No
- 15) Summary and Purpose of Rulemaking: This Part has been amended to make Statewide program changes, open and close State-owned or –managed sites and amend procedures at State sites.
- 16) Information and questions regarding this adopted rule shall be directed to:

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENT

Shelly Knuppel, Legal Counsel
Department of Natural Resources
One Natural Resources Way
Springfield IL 62702-1271

217/782-1809

The full text of the Adopted Amendment begins on the next page:

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENT

TITLE 17: CONSERVATION
CHAPTER I: DEPARTMENT OF NATURAL RESOURCES
SUBCHAPTER b: FISH AND WILDLIFEPART 690
SQUIRREL HUNTING

Section

690.10	Hunting Seasons
690.20	Statewide Regulations
690.30	Regulations at Various Department-Owned or -Managed Sites

AUTHORITY: Implementing and authorized by Sections 1.2, 1.3, 1.4, 2.1, 2.2, 2.28 and 3.5 of the Wildlife Code [520 ILCS 5/1.2, 1.3, 1.4, 2.1, 2.2, 2.28 and 3.5].

SOURCE: Adopted at 5 Ill. Reg. 8017, effective July 24, 1981; codified at 5 Ill. Reg. 10642; emergency amendment at 5 Ill. Reg. 11382, effective October 14, 1981, for a maximum of 150 days; emergency expired March 12, 1982; amended at 6 Ill. Reg. 9642, effective July 21, 1982; amended at 7 Ill. Reg. 8809, effective July 15, 1983; emergency amendment at 7 Ill. Reg. 9690, effective August 1, 1983, for a maximum of 150 days; emergency expired December 29, 1983; amended at 8 Ill. Reg. 16789, effective August 30, 1984; amended at 9 Ill. Reg. 11614, effective July 16, 1985; amended at 10 Ill. Reg. 15601, effective September 16, 1986; amended at 11 Ill. Reg. 9549, effective May 5, 1987; amended at 12 Ill. Reg. 12246, effective July 15, 1988; amended at 13 Ill. Reg. 10606, effective June 15, 1989; amended at 14 Ill. Reg. 10816, effective June 20, 1990; amended at 15 Ill. Reg. 10012, effective June 24, 1991; amended at 16 Ill. Reg. 11087, effective June 30, 1992; amended at 17 Ill. Reg. 10842, effective July 1, 1993; amended at 18 Ill. Reg. 8624, effective May 31, 1994; amended at 19 Ill. Reg. 10664, effective July 1, 1995; amended at 20 Ill. Reg. 10882, effective August 5, 1996; amended at 21 Ill. Reg. 9095, effective June 26, 1997; amended at 22 Ill. Reg. 14844, effective August 3, 1998; amended at 23 Ill. Reg. 9074, effective July 28, 1999; amended at 24 Ill. Reg. 8947, effective June 19, 2000; amended at 25 Ill. Reg. 9903, effective July 17, 2001; amended at 26 Ill. Reg. 13845, effective September 5, 2002; amended at 27 Ill. Reg. 12640, effective July 21, 2003; amended at 28 Ill. Reg. 11893, effective July 27, 2004; amended at 29 Ill. Reg. 9786, effective June 27, 2005; amended at 30 Ill. Reg. 12229, effective June 28, 2006; amended at 31 Ill. Reg. 11700, effective July 27, 2007; amended at 32 Ill. Reg. 14819, effective August 27, 2008; amended at 33 Ill. Reg. 13900, effective September 21, 2009; amended at 34 Ill. Reg. 10802, effective July 16, 2010; amended at 35 Ill. Reg. 15247, effective September 2, 2011; amended at 37 Ill. Reg. 20674, effective December 12, 2013.

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Section 690.30 Regulations at Various Department-Owned or -Managed Sites

- a) All the regulations in 17 Ill. Adm. Code 510, General Hunting and Trapping on Department-Owned or Managed Sites, apply in this Part, unless this Part is more restrictive. Violation of a site specific regulation is a petty offense (see 520 ILCS 5/2.28).
- b) Hunting with .22 caliber or smaller rimfire firearms or muzzleloading black powder rifles is allowed at those sites listed in the following subsections that are followed by a (1). Hunting with air rifles is allowed at those sites listed in the following subsections that are followed by a (3).
- c) Check-in, check-out and reporting of harvest is required at those sites listed in the following subsections that are followed by a (2). Sites that require use of windshield cards by hunters as specified in 17 Ill. Adm. Code 510.10 are followed by (4).
- d) Statewide regulations apply at the following sites:
- Alvah Borah State Fish and Wildlife Area (4)
 - Anderson Lake State Conservation Area (2)
 - Apple River Canyon State Park – Salem and Thompson Units (closed during firearm deer hunting) (42)
 - Argyle Lake State Park (42)
 - Beaver Dam State Park (statewide opening through September 30) (4)
 - Big Bend State Fish and Wildlife Area (2)
 - Big River State Forest (42)
 - Butterfield Trail State Recreation Area (1) (42)
 - Cache River State Natural Area (1) (2)
 - Campbell Pond State Wildlife Management Area (4)

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Cape Bend State Fish and Wildlife Area (1) (2)

Carlyle Lake Lands and Waters – Corps of Engineers managed lands (1)

Carlyle Lake State Fish and Wildlife ~~Management~~ Area (subimpoundment area closed 7 days prior to and during the southern zone waterfowl season) (1) (4)

Chain O'Lakes State Park (opens Wednesday after permit pheasant season for 5 consecutive days, except closed on Christmas Day; 8:00 a.m. to 4:00 p.m.; daily quota filled on first come-first served basis; DNR issued back patch must be worn while hunting; only shot size of No. 3 steel, No. 4 bismuth, No. 5 tungsten-iron, tungsten-matrix, tungsten-polymer or smaller may be used) (2)

Chauncey Marsh State Natural Area (1) (4)

Clinton Lake State Recreation Area – North Fork Management Area, North of the County Road at the North Fork Boat Ramp and handicapped upland game area (1) (4)

Coffeen Lake State Fish and Wildlife Area (statewide opening through September 30 and reopens the day after archery deer season closes and remains open until the end of the statewide season) (4)

Copperhead Hollow State Fish and Wildlife Area (1) (4)

Crawford County State Fish and Wildlife ~~Conservation~~ Area (1) (2)

Cypress Pond State Natural Area (1) (2)

Deer Pond State Natural Area (1) (2)

Devil's Island State Fish and Wildlife Area

Dog Island State Wildlife Management Area (1) (42)

Eldon Hazlet State Park (north of Allen Branch (2); and west of

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Peppenhorst Branch only)

Ferne Clyffe State Park – Cedar Draper Bluffs Hunting Area (1) (2)

Flag Pond State Natural Area (1) (3) (4)

Fort de Chartres State Historic Site (muzzleloading firearms or bow and arrow only) (1) (2)

Fort Massac State Park (~~42~~)

Fox Ridge State Park (1) (4)

Hanover Bluff State Natural Area (closed during firearm deer hunting) (~~42~~)

Harry "Babe" Woodyard State Natural Area (4)

Hidden Springs State Forest (1) (4)

Iroquois County State Wildlife Area (closed during all deer seasons) (1) (~~42~~)

Jim Edgar Panther Creek State Fish and Wildlife Area (the Quality Unit and Controlled Unit close October 31) (1) (4)

Kaskaskia River State Fish and Wildlife Area (Doza Creek Waterfowl Management Area closed 7 days prior to and during duck season; the defined Baldwin Lake Waterfowl Rest Area is closed) (1) (2) (3)

Kickapoo State Recreation Area (season opens the day after Labor Day) (~~4~~)

Kinkaid Lake State Fish and Wildlife Area (1)

Lake Shelbyville – Eagle Creek State Park (closes the opening day of site's pheasant season) (4)

Lake Shelbyville – Kaskaskia and West Okaw Wildlife Management

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Areas (1) (4)

Lowden-Miller State Forest (hunting allowed from September 1 through September 30 only; hunting allowed only on the southern one-half of the site) (1) ~~(2)~~ (3) (4)

Marseilles State Fish and Wildlife Area (Monday through Thursday only through October 31; during August, hunting allowed west of E. 2450 Road only; open daily November 1 through the end of the site archery deer season; closed during the site firearm and muzzleloading deer seasons; unauthorized personnel may not be on the site outside of the posted check station operating hours; hunters may only enter the site from designated parking lots) (2)

Marshall State Conservation Area (1) (2)

Meeker State Habitat Area (1) (4)

Mermet Lake State Conservation Area (non-toxic shot only in waterfowl areas; squirrel hunting closes after September 30, except in upland game area) (1) ~~(42)~~

Middle Fork State Fish and Wildlife Area (season opens the day after Labor Day) (4)

Mississippi River Fish and Waterfowl Management Area (Pools 25 and 26) (1) (3)

Mississippi River Pools 16, 17, 18 (1)

Mississippi River Pools 21, 22, 24 (1)

Moraine View State Park (closed during the controlled pheasant season, archery deer season and late winter deer season) (4)

Morrison Rockwood State Park (opens November 1 and closes the Thursday before the first statewide firearm deer season) (1) (2)

Nauvoo State Park (Max Rowe Unit only) (4)

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Newton Lake State Fish and Wildlife Area (closed during site deer season)
(4)

Oakford State Conservation Area (1)

Paul C. Burrus State Habitat Area (season closes October 31) (4)

Peabody River King State Fish and Wildlife Area (east subunit closes
November 1) (2)

Pere Marquette State Park (season opens the day after Labor Day) (4)

Pyramid State Park (season opens the day after Labor Day) (1) (4)

Pyramid State Park – Captain Unit (1) (4)

Pyramid State Park – Denmark Unit (1) (4)

Pyramid State Park – East Conant Unit (1) (4)

Pyramid State Park – Galum Unit (1) (4)

Rall Woods State Natural Area (closed during firearm deer hunting) (42)

Ramsey Lake State Park (4)

Randolph County State Conservation Area (2)

Ray Norbut State Fish and Wildlife Area (1) (~~42~~)

Red Hills State Park (~~42~~)

Rend Lake Project Lands and Waters (1)

Sahara Woods State Fish and Wildlife Area (1) (~~42~~)

Saline County State Fish and Wildlife Area (1) (~~42~~)

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Sam Dale Lake State ~~Fish and Wildlife Conservation~~ Area (~~42~~)

Sam Parr ~~Fish and Wildlife Area~~ State Park (2)

~~Sand Ridge State Forest (closed during the controlled pheasant season) (1) (4)~~

Sangamon County State Conservation Area

~~Sanganois State Fish and Wildlife Area (1) (4)~~

Shawnee National Forest – Oakwood Bottoms (non-toxic shot only) (1)

Sielbeck Forest State Natural Area (1) (~~42~~)

~~Siloam Springs State Park – Buckhorn Unit (1) (4)~~

Skinner Farm State Habitat Area (2)

Spoon River State Forest (1) (~~2~~) (3) (~~4~~)

Stephen A. Forbes State ~~Recreation Area~~ Park (~~42~~)

Tapley Woods State Natural Area (~~closed during firearm deer hunting~~) (~~42~~)

~~Ten Mile Creek State Fish and Wildlife Area (1) (4)~~

Trail of Tears State Forest (1) (2)

Turkey Bluffs State Fish and Wildlife Area (1) (2) (3)

Walnut Point State ~~Park Fish and Wildlife Area~~ (1) (~~42~~)

Washington County State Conservation Area (2)

Weinberg-King State Park (1) (~~42~~)

Weinberg-King State Park – Cecil White Unit (~~4~~)

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Weinberg-King State Park – Scripps Unit (1) (~~42~~)

Weinberg-King State Park – Spunky Bottoms Unit (1) (~~42~~)

Wildcat Hollow State Forest (1) (~~4~~)

Winston Tunnel State Natural Area (closed during firearm deer hunting) (~~42~~)

Wise Ridge State Natural Area (1) (3)

Witkowsky State Wildlife Area (opens after second firearm deer season; closed during firearm deer hunting) (~~42~~)

- e) Season dates shall be the day following Labor Day through the end of the statewide season at the following sites:

Ferne Clyffe State Park – Ferne Clyffe Hunting Area (2)

Giant City State Park (rimfire cartridges allowed in Union County portion; no rimfire cartridges allowed in Jackson County portion only) (1) (2)

Hamilton County State Conservation Area (~~42~~)

Siloam Springs State Park (~~42~~)

- f) Season dates shall be the day after Labor Day through September 30 at the following sites:

Johnson-Sauk Trail State Park (season reopens the day after the archery deer season closes and remains open until the end of the statewide season) (~~42~~)

Jubilee College State Park (season reopens the day after the archery deer season closes and remains open until the end of the statewide season) (2) (3)

Kankakee River State Park (~~42~~)

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Momence Wetlands State Natural Area (~~42~~)

Sangchris Lake State Park (2)

Silver Springs State Park (2)

Spring Lake State Fish and Wildlife Area (season reopens the day after the archery deer season closes and remains open until the end of the statewide season) (~~2~~) (3) (4)

- g) Statewide regulations apply at the following sites, except that hunters must obtain a free permit from the ~~site~~ ~~Department~~ and variations in season dates are in parentheses. Permits must be in possession while hunting. The permit must be returned and harvest reported by March 15 or the hunter will forfeit privileges at that site for the following year:

~~Beaver Dam State Park (statewide opening through September 30)~~

~~Chauncey Marsh State Natural Area (permit may be obtained at Red Hills State Park Headquarters) (1)~~

~~Clinton Lake State Recreation Area—North Fork Management Area, North of the County Road at the North Fork Boat Ramp and handicapped upland game area (1)~~

~~Coffeen Lake State Fish and Wildlife Area (statewide opening through September 30 and reopens the day after archery deer season closes and remains open until the end of the statewide season)~~

~~Copperhead Hollow State Fish and Wildlife Area (1)~~

~~Fox Ridge State Park (1)~~

~~Harry "Babe" Woodyard State Natural Area~~

~~Hidden Springs State Forest (1)~~

Horseshoe Lake State Park – Gabaret, Mosenthein and Chouteau Island

DEPARTMENT OF NATURAL RESOURCES

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Units (Madison County)

~~Hurricane Creek State Habitat Area (season closes October 31)~~

~~Jim Edgar Panther Creek State Fish and Wildlife Area (the Quality Unit and Controlled Unit close October 31) (1)~~

~~Kickapoo State Park (season opens the day after Labor Day)~~

~~Lake Shelbyville—Eagle Creek State Park (closes the opening day of site's pheasant season)~~

~~Lake Shelbyville—Kaskaskia and West Okaw Wildlife Management Areas (1)~~

Matthiessen State Park (season opens on statewide opening day and closes the day before the archery deer season opens; permits available at the Starved Rock State Park office; hunting in designated areas only)

~~Meeker State Habitat Area (obtain permit at Sam Parr State Park headquarters) (1)~~

~~Middle Fork State Fish and Wildlife Area (season opens the day after Labor Day)~~

~~Moraine View State Park (closed during the controlled pheasant season)~~

~~Newton Lake State Fish and Wildlife Area (closed during site deer seasons)~~

~~Pere Marquette State Park (season opens the day after Labor Day)~~

~~Pyramid State Park (season opens the day after Labor Day) (1)~~

~~Pyramid State Park—Captain Unit (1)~~

~~Pyramid State Park—Denmark Unit (1)~~

~~Pyramid State Park—East Conant Unit (1)~~

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~~Pyramid State Park—Galum Unit (1)~~

~~Ramsey Lake State Park~~

~~Sand Ridge State Forest (closed during the controlled pheasant season) (1)~~

~~Sanganois State Fish and Wildlife Area (1)~~

~~Siloam Springs State Park—Buckhorn Unit (1) (2)~~

~~Ten Mile Creek State Fish and Wildlife Area (1)~~

- h) Season dates shall be statewide opening through September 30 at the following sites:

Castle Rock State Park (~~42~~)

French Bluff State Natural Area (1) (~~42~~)

Mackinaw State Fish and Wildlife Area (season reopens the day after the archery deer season closes and remains open until the end of the statewide season) (1) (~~2~~) (3) (~~4~~)

Mt. Vernon Game Propagation Center (2)

Sandy Ford State Natural Area (2)

Weldon Springs – Piatt County Unit (~~42~~)

Woodford County State Fish and Wildlife Area (~~42~~)

- i) Season dates shall be statewide opening through October 31 at the following sites:

Green River State Wildlife Area (~~42~~)

Horseshoe Lake State Conservation Area (season on the controlled goose hunting area shall close October 31, remainder of the public hunting area statewide season; non-toxic shot only) (1)

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Union County State Conservation Area (season on the controlled goose hunting area closes October 31; firing line unit – statewide closing; non-toxic shot only) (1)

(Source: Amended at 37 Ill. Reg. 20674, effective December 12, 2013)

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NOTICE OF ADOPTED AMENDMENTS

- 1) Heading of the Part: The Taking of Wild Turkeys – Spring Season
- 2) Code Citation: 17 Ill. Adm. Code 710
- 3)

<u>Section Numbers</u> :	<u>Adopted Action</u> :
710.10	Amend
710.22	Amend
710.30	Amend
710.50	Amend
710.70	Amend
- 4) Statutory Authority: Implementing and authorized by Sections 1.3, 1.4, 1.20, 2.9, 2.10 and 2.11 of the Wildlife Code [520 ILCS 5/1.3, 1.4, 1.20, 2.9, 2.10 and 2.11]
- 5) Effective Date of Rule: December 12, 2013
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this rulemaking contain incorporations by reference? No
- 8) A copy of the adopted rule, including all material incorporated by reference, is on file in the Department of Natural Resources' principal office and is available for public inspection.
- 9) Notice of Proposal published in the *Illinois Register*: August 16, 2013; 37 Ill. Reg. 13240
- 10) Has JCAR issued a Statement of Objection to this rulemaking? No
- 11) Differences between Proposal and Final Version:

In Section 710.30(c), the ";" has been changed to a period.
- 12) Have all the changes agreed upon by the Agency and JCAR been made as indicated in the agreements issued by JCAR? No agreements were necessary.
- 13) Will this rulemaking replace an emergency rule currently in effect? No
- 14) Are there any rulemakings pending on this Part? No

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

- 15) Summary and Purpose of Rulemaking: This Part has been amended to make statewide program changes, open and close state-owned or –managed sites and amend procedures at state sites.
- 16) Information and questions regarding this adopted rule shall be directed to:

Shelly Knuppel, Legal Counsel
Department of Natural Resources
One Natural Resources Way
Springfield IL 62702-1271

217/782-1809

The full text of the Adopted Amendments begins on the next page:

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

TITLE 17: CONSERVATION
CHAPTER I: DEPARTMENT OF NATURAL RESOURCES
SUBCHAPTER b: FISH AND WILDLIFEPART 710
THE TAKING OF WILD TURKEYS – SPRING SEASON

Section

710.5	Hunting Zones
710.10	Hunting Seasons
710.20	Statewide Turkey Permit Requirements
710.21	Turkey Permit Requirements – Special Hunts (Renumbered)
710.22	Turkey Permit Requirements – Landowner/Tenant Permits
710.25	Turkey Permit Requirements – Special Hunts
710.28	Turkey Permit Requirements – Heritage Youth Turkey Hunt (Repealed)
710.30	Turkey Hunting Regulations
710.40	Other Regulations (Repealed)
710.50	Regulations at Various Department-Owned or -Managed Sites
710.55	Special Hunts for Disabled Hunters
710.60	Releasing or Stocking of Turkeys
710.70	Spring Youth Turkey Hunt

AUTHORITY: Implementing and authorized by Sections 1.3, 1.4, 1.20, 2.9, 2.10 and 2.11 of the Wildlife Code [520 ILCS 5/1.3, 1.4, 1.20, 2.9, 2.10 and 2.11].

SOURCE: Adopted at 4 Ill. Reg. 15, p. 153, effective April 1, 1980; codified at 5 Ill. Reg. 10643; amended at 6 Ill. Reg. 3852, effective March 31, 1982; amended at 7 Ill. Reg. 4208, effective March 25, 1983; amended at 8 Ill. Reg. 5663, effective April 16, 1984; amended at 9 Ill. Reg. 6200, effective April 24, 1985; amended at 10 Ill. Reg. 6848, effective April 4, 1986; amended at 11 Ill. Reg. 2267, effective January 20, 1987; amended at 12 Ill. Reg. 5342, effective March 8, 1988; amended at 13 Ill. Reg. 5090, effective April 4, 1989; amended at 14 Ill. Reg. 663, effective January 2, 1990; amended at 15 Ill. Reg. 4161, effective March 4, 1991; amended at 16 Ill. Reg. 1843, effective January 17, 1992; amended at 17 Ill. Reg. 3184, effective March 2, 1993; amended at 18 Ill. Reg. 1156, effective January 18, 1994; emergency amendment at 18 Ill. Reg. 3751, effective March 1, 1994, for a maximum of 150 days; emergency expired July 29, 1994; amended at 19 Ill. Reg. 2450, effective February 17, 1995; emergency amendment at 19 Ill. Reg. 5312, effective April 1, 1995, for a maximum of 150 days; emergency expired August 29, 1995; amended at 20 Ill. Reg. 777, effective December 29, 1995; recodified by changing the agency name from Department of Conservation to Department of Natural Resources at 20 Ill.

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Reg. 9389; amended at 21 Ill. Reg. 3125, effective March 3, 1997; amended at 22 Ill. Reg. 2192, effective January 2, 1998; amended at 22 Ill. Reg. 19568, effective October 23, 1998; amended at 23 Ill. Reg. 11956, effective September 21, 1999; amended at 24 Ill. Reg. 7984, effective May 24, 2000; amended at 24 Ill. Reg. 17778, effective November 27, 2000; amended at 25 Ill. Reg. 14176, effective October 22, 2001; amended at 26 Ill. Reg. 18028, effective December 6, 2002; amended at 27 Ill. Reg. 17075, effective October 22, 2003; amended at 29 Ill. Reg. 3935, effective February 24, 2005; amended at 29 Ill. Reg. 20484, effective December 2, 2005; amended at 31 Ill. Reg. 1958, effective January 16, 2007; amended at 31 Ill. Reg. 16476, effective November 28, 2007; amended at 32 Ill. Reg. 19742, effective December 3, 2008; amended at 34 Ill. Reg. 4868, effective March 19, 2010; amended at 35 Ill. Reg. 3705, effective February 16, 2011; amended at 35 Ill. Reg. 20588, effective December 9, 2011; amended at 37 Ill. Reg. 1898, effective February 4, 2013; amended at 37 Ill. Reg. 20688, effective December 12, 2013.

Section 710.10 Hunting Seasons

a) Northern Zone Season Dates:

- | | | |
|--|-------------------------|---|
| | 1 st Season: | Monday, April 14 15-Friday, April 18, 2014 19, 2013 |
| | 2 nd Season: | Saturday, April 19 20-Thursday, April 24, 2014 25, 2013 |
| | 3 rd Season: | Friday, April 25 26-Wednesday, April 30, 2014 May 1, 2013 |
| | 4 th Season: | Thursday, May 12 -Wednesday, May 7, 2014 8, 2013 |
| | 5 th Season: | Thursday, May 8 9-Thursday, May 15, 2014 16, 2013 |

b) Southern Zone Season Dates:

- | | | |
|--|-------------------------|---|
| | 1 st Season: | Monday, April 7 8-Friday, April 11, 2014 12, 2013 |
| | 2 nd Season: | Saturday, April 12 13-Thursday, April 17, 2014 18, 2013 |
| | 3 rd Season: | Friday, April 18 19-Wednesday, April 23, 2014 24, 2013 |
| | 4 th Season: | Thursday, April 24 25-Wednesday, April 30, 2014 May 1, 2013 |

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5th Season: Thursday, May ~~12~~-Thursday, May ~~8, 2014~~, ~~2013~~

c) Open Counties:

NORTHERN ZONE

- Adams
- Boone
- Brown
- Bureau
- Calhoun
- Carroll
- Cass
- Champaign
- Christian
- Clark
- Coles
- Cumberland
- DeKalb
- DeWitt
- Douglas
- Edgar
- Ford
- Fulton
- Greene
- Grundy
- Hancock
- Henderson
- Henry
- Iroquois
- Jersey
- Jo Daviess
- Kane
- Kankakee
- Kendall
- Knox
- Lake
- La Salle
- Lee

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Livingston
Logan
Macon
Macoupin
Marshall-Putnam
Mason
McDonough
McHenry
McLean
Menard
Mercer
Montgomery
Morgan
Moultrie
Ogle
Peoria
Piatt
Pike
Rock Island
Sangamon
Schuyler
Scott
Shelby
Stark
Stephenson
Tazewell
Vermilion
Warren
Whiteside
Will
Winnebago
Woodford

SOUTHERN ZONE

Alexander
Bond
Clay
Clinton
Crawford

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NOTICE OF ADOPTED AMENDMENTS

Edwards
Effingham
Fayette
Franklin
Hamilton
Gallatin-Hardin
Jackson
Jasper
Jefferson
Johnson
Lawrence
Madison
Marion
Massac
Monroe
Perry
Pope
Pulaski
Randolph
Richland
Saline
St. Clair
Union
Wabash
Washington
Wayne
White
Williamson

(Source: Amended at 37 Ill. Reg. 20688, effective December 12, 2013)

Section 710.22 Turkey Permit Requirements – Landowner/Tenant Permits

- a) The "immediate family" is defined as and limited to, the spouse, children, and parents permanently residing on the same property as the landowner or tenant.
- b) A tenant for the purpose of this Part is one who rents 40 acres or more land for commercial agricultural purposes under an agreement with a landowner. Commercial agriculture shall be defined as utilization of land for the raising of

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hay, grain crops or livestock for profit. A hunting rights lease, or other non-agricultural lease, is not valid for a landowner or tenant permit.

- c) Resident landowners who own 40 acres or more of land, and resident tenants renting or leasing 40 acres or more of commercial agricultural land, and members of their immediate family may apply for one free turkey permit for their property only in counties open for turkey hunting. Non-resident Illinois landowners of 40 or more acres of land and members of their immediate family are eligible to receive a permit for their property only for a fee of \$37.50. All landowners/tenants who do not reside on the property must possess a valid hunting license.
- d) Applicants for Landowner/Tenant permits must apply using the official application form. Applications for Landowner/Tenant wild turkey permits must be submitted to:
- Illinois Department of Natural Resources
POH Spring Wild Turkey Permit
One Natural Resources Way
P.O. Box 19227
Springfield IL 62794-9227
- e) Landowners or tenants are not required to participate in the public drawing for permits. Landowner/tenant permits are valid for the entire 32 days encompassed by the 5 seasons, but allow the taking of only one wild turkey. This turkey hunting permit shall be valid on all lands the permit holder owns, leases, or rents in counties open for spring turkey hunting.
- f) Recipients of Landowner/Tenant permits to hunt their owned or leased property may apply for a second permit in the third lottery (the first working day after February 8), and a third permit in the Random Daily Drawing period that begins the first working day after March 8. Fees for these additional permits shall be \$15 for residents and the maximum fee as allowed by Section 2.11 of the Wildlife Code [520 ILCS 5/2.11] for nonresidents.
- g) Proof of ownership for all landowner or tenant applications must be provided by one of the following methods:
- 1) Submittal of a copy of property deed, [recorded/file stamped by the County](#)

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Recorder or County Clerk;

- 2) Submittal of a copy of contract for deed, recorded/file stamped by the County Recorder or County Clerk;
 - 3) Submittal of copy of most recent real estate tax statement for the property that identifies the property acreage (upon which landowner's name appears as landowner or person signing application appears as landowner);
 - 4) Submittal of a current copy of a Farm Service Agency 156EZ form; or
 - 5) Submittal of a copy of trust agreement which must indicate that the trust owns at least 40 acres and the applicant is a current income beneficiary of the trust.
- h) If you are applying for a tenant permit, you are required to submit, in addition to the landowner certification and proof of ownership, a copy of one of the following:
- 1) Submittal of a copy of a lease (not a hunting rights lease) or rental agreement, file stamped as recorded by the County Recorder or County Clerk, covering the current year. The agreement must contain the landowner's signature, tenant's signature, description of monetary consideration, specified period of the lease and acreage involved and a statement that the lease is for agricultural purposes; or
 - 2) Submittal of a current copy of a Farm Service Agency 156EZ form.
- i) If the property is owned or rented by more than one person: Only one landowner (and his immediate family) or one tenant (and his immediate family) will be issued a permit for every 40 acres of owned or rented land. For example, if 3 persons own 90 acres, only 2 of the landowners and their immediate families may receive turkey permits.
- j) Shareholder/Member/Beneficiary/Partner Landowner Permits
- 1) Bona fide equity shareholders of corporations, bona fide equity members of limited liability companies, current income beneficiaries of trusts and bona fide equity partners of general or limited partnerships owning 40 or

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more acres of land in a county may apply for a free permit to hunt the corporation, limited liability company, trust or partnership lands only. Only one permit per 40 acres, for a maximum number of 15 permits per county, shall be issued based on ownership of lands by corporations, trusts and limited liability companies. Only one permit for 40 acres, for a maximum of 3 permits per county, shall be issued based on ownership of lands by partnerships. Lands leased to corporations, limited liability companies, trusts or partnerships shall not be considered as a basis for a free permit for the shareholders/members/beneficiaries/partners of the lessee. Lands held in trust by corporations, limited liability companies or partnerships shall not be considered as a basis for a free permit by the shareholders/members/partners of the trustee. If application is made for a free permit based upon lands owned by the corporation, limited liability company, trust or partnership, a duly authorized officer of the corporation, limited liability company, trust or partnership must sign a notarized statement authorizing the applicant to hunt on the corporate, company, trust or partnership lands for which a permit is being requested. This statement must identify the applicant as a bona fide equity shareholder, member, beneficiary or partner as defined in subsections (j)(2), (3) and (4), identify authorization to hunt and identify that no more than 15 authorizations will be requested per county for the corporation, limited liability company, trust or partnership lands.

A) In addition:

- i) Corporation applicants must submit a copy of ownership interest in a for-profit corporation with a fully-executed stock certificate, articles of incorporation, or corporate agreement, ~~resolution or minutes~~;
- ii) limited liability company applicants must submit a copy of the limited liability company's articles of organization or the operating agreement;
- iii) limited partnerships, limited liability limited partners, and limited liability partnership applicants must submit a copy of the partnership agreement, certificate of partnership or statement of qualification; and

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- iv) general partnership applicants must submit a copy of the partnership agreement.
 - B) These documents must be attached to the application upon submittal to the Permit Office. This shareholder/member/beneficiary/partner turkey permit shall be free to resident shareholders/members/beneficiaries/partners and the cost to nonresident shareholders and members shall be \$37.50. Nonresident partners are not eligible to receive permits for partnership lands.
- 2) Bona fide equity shareholder means an individual who:
- A) purchased, for market price, publicly sold stock shares in a corporation; purchased shares of a privately-held corporation for a value equal to the percentage of the appraised value of the corporate assets represented by the ownership in the corporation; or is a member of a closely-held family-owned corporation and has purchased or been gifted with shares of stock in the corporation accurately reflecting his or her percentage of ownership; and
 - B) intends to retain the ownership of the shares of stock for at least 5 years.
- 3) Bona fide equity member means an individual who:
- A) became a member upon the formation of the limited liability company; or has purchased a distributional interest in a limited liability company for a value equal to the percentage of the appraised value of the limited liability company assets represented by the distributional interest in the limited liability company and subsequently becomes a member of the company pursuant to Article 30 of the Limited Liability Company Act [805 ILCS 180].
 - B) intends to retain the membership for at least 5 years.
- 4) Current income beneficiary means an individual who, at the time of application for a permit, is entitled to income (whether income exists or not) from the trust that owns the land the applicant wishes to hunt with no

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condition precedent (such as surviving another person, reaching a certain age, etc.) other than the trustee distributing the income, and is listed by name in the trust documents as an income beneficiary.

- 5) Bona fide equity partner means an individual who:
- A) became a partner, either general or limited, upon the formation of a partnership or limited partnership, or has purchased, acquired, or been gifted a partnership interest accurately representing his or her percentage distributional interest in the profits, losses, and assets of a partnership or limited partnership;
 - B) intends to retain ownership of the partnership interest for at least 5 years; and
 - C) is a resident of Illinois as defined in Section 2.26 of the Wildlife Code.
- k) For the purpose of calculating acreage under this Section, the Department shall, after determining the total acreage of the applicable tract or tracts of land, round remaining fractional portions of an acre greater than or equal to half of an acre up to the next whole acre.

l) [Providing false information on an application is a Class A misdemeanor \(see 520 ILCS 5/2.38\).](#)

(Source: Amended at 37 Ill. Reg. 20688, effective December 12, 2013)

Section 710.30 Turkey Hunting Regulations

- a) It is unlawful:
- 1a) to use live or electronic turkey decoys, recorded calls, dogs, or bait (an area is considered as baited during the presence of and for 10 consecutive days following the removal of the bait);
 - 2b) to take any wild turkey except a hen with a visible beard or a gobbler (male);

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- 3e) to take, or attempt to take, more than three wild turkeys during the spring season, one must have a valid permit for each turkey that is taken;
- 4d) to use any weapon except a shotgun or bow and arrow. #4 shot is the largest and #7½ is the smallest size shot that may be legally used or possessed while turkey hunting. ~~Archers may use a long, recurved, or compound bow with a minimum pull of 40 pounds at some point within a 28-inch draw. Minimum arrow length is 20 inches and broadheads must be used. Broadheads may have fixed or expandable cutting surfaces, but they must have a minimum 7/8 inch diameter when fully opened. Broadheads with fixed cutting surfaces must be metal or flint, chert, or obsidian-knapped; broadheads with expandable cutting surfaces must be metal. Any mechanical device capable of maintaining a drawn position or partially drawn position on a bow is illegal. All other bows and arrows, including electronic arrow tracking systems using radio telemetry, are illegal;~~
- e) ~~to use a crossbow device, except as provided by Section 2.33 of the Wildlife Code [520 ILCS 5/2.33]. Crossbow standards may be found in 17 Ill. Adm. Code 760—Disabled Hunting Method Authorizations.~~
- 5f) to hunt except from ½ hour before sunrise to 1:00 p.m. during each day of the season;
- 6g) for any person having taken the legal limit of wild turkeys to further participate with a weapon in any hunting party for the purpose of taking additional wild turkeys;
- 7h) for any person to possess while in the field during wild turkey season any turkey permit issued to another person (permits are non-transferable);
- 8i) to transport or leave a wild turkey without first affixing the adhesive-backed turkey permit securely around the leg. Immediately upon kill and before the turkey is moved, transported or field dressed, the hunter must cut out the designated notch on the leg tag to invalidate it, and the tag must be affixed to the turkey. Successful hunters must register their harvest by 3:00 p.m. on the same calendar day as the turkey was taken by calling the toll-free telephone check-in system at 1-866-ILCHECK or by accessing the on-line check-in system at <http://dnr.state.il.us/vcheck>. Hunters must

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provide all information requested by the check-in system, and will be provided with a confirmation number to verify that they checked in their harvest. The confirmation number must be written by the hunter on the leg tag. The leg tag must remain attached to the leg of the turkey until it is at the legal residence of the person who legally took or possessed the turkey and the turkey has been checked in. The turkey must remain whole (or field dressed) until it has been checked in;

9j) for any person to shoot a wild turkey while it is in a tree before 7:00 a.m.;

10k) for any person to hunt wild turkeys without possessing a Wild Turkey Hunting Permit which shall include the hunter's signature recorded on the permit and carried on the person while hunting, except that a person without a weapon may accompany a turkey hunter as a caller or observer;

11l) for any person to use a turkey call that imitates sounds made by a turkey or to attempt to call a turkey by making these sounds while in the field in the Southern Zone from March 15 through the day before the 1st turkey season and in the Northern Zone from March 22 through the day before the 1st turkey season. This prohibition only applies in counties open to spring turkey hunting. This prohibition does not apply to participants in the Youth Turkey Hunt with a valid permit, or their accompanying adult, during that season as prescribed by Section 710.70.

b) Archers may use:

1) Vertical bows, limited to longbows, recurve bows or compound bows with minimum pull of 40 pounds at some point within a 28-inch draw. Minimum arrow length is 20 inches. Any mechanical device capable of maintaining a drawn or partially drawn position on a vertical bow without the hunter exerting full string tension is illegal.

2) Crossbows, so long as one or more of the following conditions are met:

A) If the user is a person age 62 and older with a valid photo ID containing proof of age; or

B) If the user is a disabled person to whom the Department has issued a permit to use a crossbow, as provided by 17 Ill. Adm. Code 760.

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- c) Broadheads must be used. Broadheads may have fixed or expandable cutting surfaces, but they must have a minimum 7/8 inch diameter when fully opened. Broadheads with fixed cutting surfaces must be metal or flint-, chert-, or obsidian-knapped; broadheads with expandable cutting surfaces must be metal. Any mechanical device capable of maintaining a drawn position or partially drawn position on a bow is illegal. All other bows and arrows, including electronic arrow tracking systems using radio telemetry, are illegal.
- d) Specifications for legal crossbows and bolts are contained in 17 Ill. Adm. Code 760.

(Source: Amended at 37 Ill. Reg. 20688, effective December 12, 2013)

Section 710.50 Regulations at Various Department-Owned or -Managed Sites

- a) Hunters who intend to hunt Department sites and who have a physical disability that requires special accommodations must contact the site superintendent at least 10 days before the date they wish to hunt. The site superintendent shall make reasonable accommodations necessary to allow the disabled person to participate in the hunting experience at the site. Disabled hunters who require an aide or assistant with them during the hunt are responsible for providing the aide or assistant and notifying the site superintendent that an assistant will be present, and whether the assistant will also be hunting.
- b) Hunters must sign in/sign out at all sites that are followed by a (1). Sites that require use of windshield cards by hunters as specified in 17 Ill. Adm. Code 510.10 are followed by a (2).
- c) Statewide regulations shall apply for the following sites:
- [Alvah Borah State Habitat Area \(2\)](#)
 - Anderson Lake Conservation Area (1)
 - Argyle Lake State Park (~~2~~)
 - Cache River State Natural Area (1)

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Campbell Pond Wildlife Management Area (2)

Cape Bend State Fish and Wildlife Area (1)

Carlyle Lake [State Fish and Wildlife Management Area](#) (2)

Copperhead Hollow State Wildlife Area (2)

Cypress Pond State Natural Area (1)

Deer Pond State Natural Area (1)

Devil's Island State Fish and Wildlife Area

Dog Island Wildlife Management Area (2+)

Ferne Clyffe State Park – Cedar Draper Bluff Hunting Area (1)

Flag Pond State Natural Area

Fort de Chartres State Historic Site (muzzleloading shotgun or archery only; no in-line muzzleloading shotguns or muzzleloaders with scopes allowed) (1)

Giant City State Park (1)

Horseshoe Lake Conservation Area – Alexander County (controlled goose hunting area and public hunting area only) (1)

Horseshoe Lake State Park (Madison County) – Gabaret, Mosenthein, Chouteau Island Units (all hunters must obtain a free site permit)

Jubilee State Park (archery only) (1)

Kaskaskia River State Fish and Wildlife Area (no hunting east of and within 50 yards of the defined Baldwin Lake Waterfowl Rest Area's main north-south road, within 100 yards of any house or building, or south of the Dry Lake access road; a hunter with a P-2 handicapped certification, accompanied by a non-hunting attendant, may hunt at the site's designated

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handicapped hunting spot within this closed area; the hunting spot will be allocated on a first come-first served basis or via a drawing, if needed, held at the site office) (1)

Kinkaid Lake Fish and Wildlife Area (1)

Mark Twain National Wildlife Refuge, Gardner Division

Mississippi River Fish and Wildlife Area (Pools 25 and 26)

Mississippi River Pools 16, 17, 18, 21, 22, and 24

Nauvoo State Park (Max Rowe Unit only) [\(2\)](#)

Oakford Conservation Area

Peabody River King State Fish and Wildlife Area (except South Subunit) (1)

Pere Marquette State Park (designated area only) [\(2\)](#)

Ray Norbut Fish and Wildlife Area [\(2+\)](#)

Rend Lake Project Lands and Waters except Wayne Fitzgerald State Park

Saline County Fish and Wildlife Area [\(2+\)](#)

Sanganois Conservation Area [\(2\)](#)~~(site issued free permit required)~~

Sielbeck Forest State Natural Area [\(2+\)](#)

Skinner Farm State Habitat Area (1)

Trail of Tears State Forest (1)

Turkey Bluffs State Fish and Wildlife Area (1)

Union County Conservation Area – Firing Line Unit and Public Hunting Area only (1)

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Weinberg-King State Park [\(2+\)](#)

Weinberg-King State Park (Cecil White Unit) [\(2\)](#)

Weinberg-King State Park (Spunky Bottoms Unit) [\(2\)](#)

Wildcat Hollow ~~Habitat Area~~ ~~State Forest~~ [\(2+\)](#)

Wise Ridge State Natural Area

- d) Statewide regulations shall apply except that all hunting is allowed by site-specific permit only. The Department of Natural Resources allocates permits for these areas through the lottery process set forth in Section 710.20. This permit is only valid for the specific site and season indicated on the permit.

Apple River Canyon State Park – Thompson and Salem Units [\(2+\)](#)

Beaver Dam State Park

Big Bend State Fish and Wildlife Area (1)

Big River State Forest [\(2+\)](#)

Burning Star 5 (preseason scouting is permitted seven days prior to season date listed on permit; hunters must have their permit in possession while scouting; only hunters with valid Burning Star 5 spring turkey permits may be on the property)

Butterfield Trail State Recreation Area [\(2+\)](#)

Carlyle Lake State Fish and Wildlife Area – East Fork Management Unit [\(2\)](#)

Castle Rock State Park [\(2+\)](#)

Clinton Lake State Recreation Area [\(2\)](#)

Coffeen Lake State Fish and Wildlife Area

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Crawford County ~~State Fish and Wildlife Conservation~~ Area (2)

Dixon Springs State Park (youth ages 10-15 only) (1)

Eagle Creek State Park (first two seasons only) (2+)

Eldon Hazlet State Park

Ferne Clyffe Hunting Area (1)

Fort Massac State Park (Youth Ages 10-15 only) (1)

Fox Ridge State Park (2+)

French Bluff State Natural Area (2+)

Green River State Wildlife Area (2+)

Hamilton County Conservation Area (2)

Hanover Bluff State Natural Area (2+)

Harry "Babe" Woodyard State Natural Area (2+)

Hidden Springs State Forest (2+)

Horseshoe Lake State Park (Madison County)

~~Hurricane Creek Habitat Area (must have Fox Ridge State Park permit)~~
(+)

Iroquois County State Wildlife Area (2)

Jim Edgar Panther Creek State Fish and Wildlife Area (2)

Johnson-Sauk Trail State Park (2+)

Kankakee River State Park (hunting hours are from $\frac{1}{2}$ ~~one-half~~ hour

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before sunrise until 12:00 noon) (1)

Kickapoo State Park (2+)

Kishwaukee River State Fish and Wildlife Area (2+)

Lowden Miller State Forest (2+)

Mackinaw River Fish and Wildlife Area (2+)

Marseilles State Fish and Wildlife Area (site is open to hunting Monday through Thursday only; hunting hours are from ~~1/2 one-half~~ hour before sunrise until 8:30 a.m. with potential additional hunting hours being posted by the site; unauthorized; if space is available after site permit holders have checked in or if there have been no site specific permits issued, La Salle County permit holders who have an unfilled permit for the current season may be allowed on the site to hunt; if more La Salle County permit holders want to hunt than there are vacancies, a daily drawing at the site hunter check station will be held to determine who may enter the site to hunt; unauthorized personnel may not be on the site outside of the posted check station operating hours; hunters may only enter the site from designated parking lots) (1)

Marshall Fish and Wildlife Area (2+)

Matthiessen State Park (South of Vermilion River Area) (1)

Mautino State Fish and Wildlife Area (2)

Meeker State Habitat Area (2)

Mermet Lake State Fish and Wildlife Area (2+)

Middle Fork~~Middlefork~~ State Fish and Wildlife Management Area (2+)

Mississippi Palisades State Park (closed during the fifth season) (2+)

Momence Wetlands (1)

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Moraine View State Park (no hunting on weekends during 4th and 5th season) (~~2~~)

Morrison Rockwood State Park (closed during the fifth season) (1)

Mt. Vernon Game Propagation Center

Newton Lake Fish and Wildlife Area (~~2~~)

[Paul C. Burrus Habitat Area \(must have Fox Ridge State Park permit\)](#) (~~2~~)

Pere Marquette State Park (Piasa, Quotoga, Potawatomi Camp Areas) (no hunting allowed on weekends) (~~2~~)

Pyramid State Park (2)

Pyramid State Park – East Conant Unit (2)

Rall Woods (~~Falling Down Prairie~~) State Natural Area (~~2~~)

Ramsey Lake State Park (1)

Randolph County Conservation Area (a handicapped hunter with a P-2 handicapped certification, accompanied by a non-hunting attendant, wanting to hunt at one of the site's two designated handicapped hunting spots is not required to have a site-specific permit; these hunting spots will be allocated on a first come-first served basis or via a drawing, if needed, held at the site office) (1)

Red Hills State Park (~~2~~)

Red Hills State Park/Chauncey Marsh (~~2~~)

Sahara Woods [State Fish and Wildlife Area](#) (~~2~~)

Sam Dale Lake [State Fish and Wildlife Conservation Area](#) (~~2~~)

Sam Parr State [Fish and Wildlife Area](#) (~~2~~)~~Park~~

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| Sand Ridge State Forest ([2](#))

Sandy Ford State Natural Area

Sangamon County Conservation Area

| Sanganois Conservation Area (Squirrel Timber Unit) ([2+](#))

| Sangchris Lake State Park ([2](#))

| [Shelbyville State Fish and Wildlife Area \(2\)](#)

| Siloam Springs State Park ([2+](#))

| Siloam Springs State Park (Buckhorn Unit) ([2+](#))

South Shore State Park (must have Eldon Hazlet State Park permit)

| Spoon River State Forest ([2+](#))

| Stephen A. Forbes State Park ([2+](#))

| Tapley Woods State Natural Area ([2+](#))

| Ten Mile Creek Fish and Wildlife Area ([2](#))

Washington County Conservation Area (1)

Wayne Fitzgerald State Recreation Area

| Weinberg-King State Park (Scripps Unit) ([2+](#))

| Weldon Springs State Park – Piatt County Unit ([2](#))

Winston Tunnel State Natural Area (2)

| Witkowsky State Wildlife Area ([2+](#))

Wolf Creek State Park (first 2 seasons only) (1)

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(Source: Amended at 37 Ill. Reg. 20688, effective December 12, 2013)

Section 710.70 Spring Youth Turkey Hunt

- a) Hunting Dates
 - 1) Northern Zone: the Saturday and Sunday beginning 9 days prior to the opening date of the Northern Zone first spring turkey hunting season.
 - 2) Southern Zone: the Saturday and Sunday beginning 9 days prior to the opening date of the Southern Zone first spring turkey hunting season.
- b) Open Counties: All counties listed in Section 710.10 are open to Spring Youth Turkey Hunting.
- c) Eligibility: The Spring Youth Turkey Hunt is open only to hunters who have not reached their 16th birthday prior to the opening date of the youth season. Hunters must have an apprentice hunting license, or they must have completed a State-approved Hunter Education course and have a hunting license, unless exempt. In addition, hunters must have a Habitat Stamp, unless exempt.
- d) Permit Requirements – Spring Youth Turkey Hunt
 - 1) All youth hunters must have a current, valid Youth Turkey Hunt Permit (\$10). Hunters are eligible to purchase only one Youth Turkey Hunt Permit. Hunting without a permit is a Class B misdemeanor (see 520 ILCS 5/2.9).
 - 2) For a county permit: Youth Turkey Hunt Permits valid for counties open to youth turkey hunting will be available for sale over-the-counter (OTC) from agents beginning the first Tuesday in March through the last day of the Youth Turkey Season.
 - 3) For a Special Hunt Area permit: Youth hunters may apply online (<http://dnr.state.il.us/admin/turkey.htm>) for a site-specific permit valid for one of the Special Hunt Areas. The application period begins the third Tuesday in January and ends the third Monday in February. Permits will

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be allocated via a lottery drawing in which Illinois residents will be given preference.

- 4) The applicants must not have had their hunting privileges suspended or revoked in this State or any other state.
 - 5) A \$3 service fee will be charged for replacement permits issued by the Department, except when permits are lost in the mail, there will be no charge. Monies derived from this source will be deposited in the Wildlife and Fish Fund.
 - 6) The Youth Turkey Hunt Permit shall be valid only for the dates and counties/Special Hunt Area listed on the permit.
 - 7) A permit issued for the Youth Turkey Hunt will count toward the maximum number of permits (Section 710.20(j)) an individual can receive for the Spring Wild Turkey Season.
- e) Youth Turkey Hunting Regulations
- 1) Each hunter participating in the Illinois Youth Turkey Hunt while using an Apprentice Hunter License must be accompanied by a non-hunting, validly-licensed (Illinois hunting license) parent, guardian or grandparent. All other hunters (using other types of hunting licenses or license-exempt) participating in the Youth Turkey Hunt must each be accompanied by a non-hunting supervisor (parent, guardian or responsible adult) who has a valid Illinois hunting license or who has in his or her possession a valid Firearm Owners Identification (FOID) Card. An Illinois resident serving as a youth supervisor must have a valid FOID card regardless of whether he or she has a valid Illinois hunting license. FOID cards are not issued to non-residents, so non-residents serving as youth supervisors must have a valid Illinois hunting license. The non-hunting supervisor must remain with the hunting youth so as to have the youth under immediate control. Each supervisor may only accompany a single youth at any given time during the hunt. The supervising adult shall be criminally liable for the actions of the youth in the hunting party and shall be subject to the criminal penalties provided by law.

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- 2) All regulations prescribed by Section 710.30 of this Part apply during the Youth Turkey Hunt.
- f) The following sites will be open to holders of a valid Youth Turkey Hunt Permit for the county in which the site is located. Persons wishing to hunt one of the listed sites should contact that site prior to hunting for information about site regulations and restrictions. [Sites that require use of windshield cards by hunters as specified in 17 Ill. Adm. Code 510.10 are followed by a \(2\).](#)

Anderson Lake Fish and Wildlife Area

Apple River Canyon State Park – Thompson and Salem Units (2+)

Argyle Lake State Park

Big Bend Fish and Wildlife Area (Whiteside County)

Big River State Forest

Cache River State Natural Area

Cape Bend State Fish and Wildlife Area

[Carlyle Lake State Fish and Wildlife Area \(2\)](#)

[Carlyle Lake State Fish and Wildlife Area – East Fork Management Unit \(2\)](#)

Copperhead Hollow State Wildlife Area (2)

Crab Orchard National Wildlife Refuge Public Hunting Area

Crawford County [State Fish Wildlife Conservation](#) Area

Cypress Pond State Natural Area

Deer Pond State Natural Area

Devil's Island State Fish and Wildlife Area

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Dog Island Wildlife Management Area

Ferne Clyffe State Park – Cedar Draper State Habitat Area

Giant City State Park

Green River State Wildlife Area [\(2\)](#)

Hanover Bluff State Natural Area [\(2+\)](#)

Horseshoe Lake Conservation Area – Alexander County

Kaskaskia River State Fish and Wildlife Area

Kinkaid Lake State Fish and Wildlife Area

Mackinaw River State Fish and Wildlife Area [\(2+\)](#)

[Marshall State Fish and Wildlife Area](#)

Mermet Lake State Fish and Wildlife Area

Moraine View State Park (free site permit required)

Mississippi River Area Pools 21, 22, 24, 25 and 26

Mt. Vernon Game Propagation Center (1)

Nauvoo State Park (Max Rowe Unit Only) [\(2\)](#)

Newton Lake State Fish and Wildlife Area [\(2\)](#)

Pere Marquette State Park (open area [east](#)~~south~~ of Graham Hollow Road only) [\(2\)](#)

Pyramid State Park [\(2\)](#)

Pyramid State Park – East Conant Unit [\(2\)](#)

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Rall Woods State Natural Area (2)

Ray Norbut Fish and Wildlife Area (2)

Rend Lake Corps of Engineers-managed land in Jefferson and Franklin Counties

Rend Lake State Fish and Wildlife Area

Sahara Woods State Fish and Wildlife Area (2)

Sam Parr State Fish and Wildlife Area (2) ~~Park~~

Shelbyville State Fish and Wildlife Area (2)

Sielbeck Forest State Natural Area (2)

Siloam Springs State Park (2)

Siloam Springs State Park (Buckhorn Unit) (2)

Skinner Farm State Habitat Area

Spoon River State Forest (2)

Tapley Woods State Natural Area (2)

Trail of Tears State Forest

Ten Mile Creek State Fish and Wildlife Area

Turkey Bluffs State Fish and Wildlife Area

Union County Conservation Area

Weinberg-King State Park (2)

Weinberg-King State Park (Cecil White Unit) (2)

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Weinberg-King State Park (Scripps Unit) [\(2\)](#)

Weinberg-King State Park (Spunky Bottoms Unit) [\(2\)](#)

Winston Tunnel State Natural Area [\(2+\)](#)

Wise Ridge State Natural Area

Witkowsky State Wildlife Area [\(2+\)](#)

- g) Statewide regulations shall apply except that all hunting is allowed by site-specific permit only. The Department of Natural Resources allocates permits for these areas through the lottery process set forth in Section 710.70(d). This permit is only valid for the specific site and season indicated on the permit.

Burning Star 5 (preseason scouting is permitted beginning the Saturday prior to the youth season; hunters must have their permit in possession while scouting)

Butterfield Trail State Recreation Area [\(2\)](#)

Castle Rock State Park

Clinton Lake State Recreation Area [\(2\)](#)

Coffeen Lake State Fish and Wildlife Area

Crab Orchard National Wildlife Refuge (Closed Portion)

Eldon Hazlet State Park

Ferne Clyffe State Park – Ferne Clyffe Hunting Area

Harry "Babe" Woodyard State Natural Area [\(2\)](#)

Hidden Springs State Forest

Iroquois County State Fish and Wildlife Area [\(2\)](#)

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Jim Edgar Panther Creek State Fish and Wildlife Area

Kankakee River State Park

Kickapoo State Recreation Area [\(2\)](#)

Lake Shelbyville Project Land (U.S. Army Corps of Engineers managed)
Moultrie County

Lake Shelbyville Project Land (U.S. Army Corps of Engineers managed)
Shelby County

[Middle Fork](#)~~Middlefork~~ State Fish and Wildlife Area

Momence Wetlands

Sam Dale Lake State Fish and Wildlife Area [\(2\)](#)

Sand Ridge State Forest

Sangchris Lake State Park

South Shore State Park (must have Eldon Hazlet State Park permit)

Stephen A. Forbes State Park [\(2\)](#)

Wayne Fitzgerald State Recreation Area

Weldon Springs – Piatt County Unit [\(2\)](#)

(Source: Amended at 37 Ill. Reg. 20688, effective December 12, 2013)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENT

- 1) Heading of the Part: Dove Hunting
- 2) Code Citation: 17 Ill. Adm. Code 730
- 3) Section Number: 730.20 Adopted Action:
Amend
- 4) Statutory Authority: Implementing and authorized by Sections 1.3 and 1.4 of the Wildlife Code [520 ILCS 5/1.3 and 1.4]
- 5) Effective Date of Rule: December 12, 2013
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this rulemaking contain incorporations by reference? No
- 8) A copy of the adopted rule, including all material incorporated by reference, is on file in the Department of Natural Resources' principal office and is available for public inspection.
- 9) Notice of Proposal published in the *Illinois Register*: August 16, 2013; 37 Ill. Reg. 13304
- 10) Has JCAR issued a Statement of Objection to this rulemaking? No
- 11) Differences between Proposal and Final Version:

In Section 730.20, the Authority note has been changed to read: "Implementing and authorized by Sections 1.3 and 1.4 of the Wildlife Code [520 ILCS 5/1.3 and 1.4]".

In Section 730.20(b), after "8", the comma has been stricken and "or" has been added.

In Section 730.20(c), "(#)" has been stricken after Argyle Lake State Park, Campbell Pond Wildlife Management Area, Dog Island Wildlife Management Area, Ft. Massac State Park, Marshall State Fish and Wildlife Area, Mermet Lake State Fish and Wildlife Area, Ray Norbut State Fish and Wildlife Area, Red Hills State Park, Sahara Woods State Fish and Wildlife Area, Sielbeck Forest Natural Area, Spoon River State Forest, Weinberg-King State Park – Scrips and Spunky Bottoms Units.

In Section 730.20(d), "(#)" has been stricken after Iroquois County Wildlife Management

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Area and Same Dale Lake State Fish and Wildlife.

In Section 730.20(e), "(#)" has been stricken after Big River State Forest, Carlyle Lake State Fish and Wildlife Area, Clinton Lake State Recreation Area (dove management fields only), Harry "Babe" Woodyard State Natural Area (permit required), Middle Fork State Fish and Wildlife Area (dove management fields only), Moraine View State Park (dove management fields only; season closes October 14), Newton Lake Fish and Wildlife Area (dove management units), Siloam Springs State Park – Buckhorn Unit, Weinberg-King State Park.

In Section 730.20(f), "(#)" has been stricken after Hamilton County State Fish and Wildlife Area, Sam Parr State Fish and Wildlife Area, Shabbona Lake State Park, Stephen A. Forbes State Recreation Area (season opens day after Labor Day).

In Section 730.20(g), "(#)" has been stricken after Saline County State Fish and Wildlife Area.

- 12) Have all the changes agreed upon by the Agency and JCAR been made as indicated in the agreements issued by JCAR? No agreements were necessary.
- 13) Will this rulemaking replace an emergency rule currently in effect? No
- 14) Are there any rulemakings pending on this Part? No
- 15) Summary and Purpose of Rulemaking: This Part has been amended to make statewide program changes, open and close state-owned or –managed sites and amend procedures at state sites.
- 16) Information and questions regarding this adopted rule shall be directed to:

Julia Lawrence, Legal Counsel
Department of Natural Resources
One Natural Resources Way
Springfield IL 62702-1271

217/782-1809

The full text of the Adopted Amendment begins on the next page:

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENT

TITLE 17: CONSERVATION
CHAPTER I: DEPARTMENT OF NATURAL RESOURCES
SUBCHAPTER b: FISH AND WILDLIFEPART 730
DOVE HUNTING

Section

730.10	Statewide Regulations
730.20	Regulations at Various Department-Owned or -Managed Sites
730.30	Youth and Youth/Adult Dove Hunts at Various Department-Owned or -Managed Sites (Repealed)
730.40	Youth Dove Hunting

AUTHORITY: Implementing and authorized by Sections 1.3 and 1.4 of the Wildlife Code [520 ILCS 5/1.3 and 1.4].

SOURCE: Adopted at 5 Ill. Reg. 8792, effective August 25, 1981; codified at 5 Ill. Reg. 10644; amended at 6 Ill. Reg. 9631, effective July 21, 1982; emergency amendment at 6 Ill. Reg. 10040, effective August 2, 1982, for a maximum of 150 days; emergency expired December 30, 1982; amended at 7 Ill. Reg. 10767, effective August 24, 1983; emergency amendment at 7 Ill. Reg. 10999, effective August 24, 1983, for a maximum of 150 days; amended at 8 Ill. Reg. 13680, effective July 25, 1984; amended at 9 Ill. Reg. 11601, effective July 16, 1985; emergency amendment at 9 Ill. Reg. 14025, effective September 4, 1985, for a maximum of 150 days; amended at 10 Ill. Reg. 15590, effective September 16, 1986; amended at 11 Ill. Reg. 9526, effective May 5, 1987; amended at 11 Ill. Reg. 11346, effective June 10, 1987; amended at 12 Ill. Reg. 12186, effective July 15, 1988; amended at 13 Ill. Reg. 10513, effective June 15, 1989; amended at 14 Ill. Reg. 11193, effective June 29, 1990; amended at 15 Ill. Reg. 9951, effective June 24, 1991; amended at 16 Ill. Reg. 11041, effective June 30, 1992; amended at 17 Ill. Reg. 10761, effective July 1, 1993; amended at 18 Ill. Reg. 10009, effective June 21, 1994; amended at 19 Ill. Reg. 10588, effective July 1, 1995; amended at 20 Ill. Reg. 10861, effective August 5, 1996; amended at 21 Ill. Reg. 11700, effective August 12, 1997; amended at 22 Ill. Reg. 14792, effective August 3, 1998; amended at 23 Ill. Reg. 9043, effective July 28, 1999; amended at 24 Ill. Reg. 8911, effective June 19, 2000; amended at 25 Ill. Reg. 11373, effective August 14, 2001; amended at 26 Ill. Reg. 13590, effective September 3, 2002; amended at 27 Ill. Reg. 12666, effective July 21, 2003; amended at 28 Ill. Reg. 12865, effective September 1, 2004; amended at 29 Ill. Reg. 9797, effective June 24, 2005; amended at 30 Ill. Reg. 12251, effective June 28, 2006; amended at 31 Ill. Reg. 11738, effective July 27, 2007; amended at 32 Ill. Reg. 14857, effective August 27, 2008; amended at 33 Ill. Reg. 9702, effective June 26, 2009;

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amended at 34 Ill. Reg. 12831, effective August 20, 2010; amended at 35 Ill. Reg. 13234, effective July 26, 2011; amended at 37 Ill. Reg. 20717, effective December 12, 2013.

Section 730.20 Regulations at Various Department-Owned or -Managed Sites

- a) All the regulations in 17 Ill. Adm. Code 510 – General Hunting and Trapping apply in this Section, unless this Section is more restrictive.
- b) General Regulations
 - 1) Hunters shall possess only bismuth or lead shot size #7½, ~~#8~~ or ~~#9~~ or size #6 steel or smaller for taking of doves, except as noted under subsection (b)(2), and except these restrictions do not apply during the November portion of dove season.
 - 2) Only non-toxic shot (as defined by the U.S. Fish and Wildlife Service in 50 CFR 20), #6 steel shot or #7½ bismuth shot or smaller may be possessed on the following areas:
 - Anderson Lake Conservation Area
 - Banner Marsh State Fish and Wildlife Area
 - Big Bend State Fish and Wildlife Area (#)
 - Cache River State Natural Area
 - Cape Bend State Fish and Wildlife Area
 - Carlyle Lake ~~State Fish and Wildlife~~ Wildlife Management Area (subimpoundments only)
 - Chain O'Lakes State Park
 - Clinton Lake State Recreation Area (dove management fields only)
 - Des Plaines Conservation Area
 - Double T State Fish and Wildlife Area

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Eldon Hazlet State Park (#)

Green River State Wildlife Area

Hennepin Canal Parkway State Park

Horseshoe Lake Conservation Area (Alexander County)

Horseshoe Lake State Park (Madison County) (#)

Horseshoe Lake State Park (Madison County) Gabaret,
Mosenthein, Chouteau Island Unit (#)

Johnson-Sauk Trail State Park

Jubilee College State Park

Kankakee River State Park (#)

Kaskaskia River State Fish and Wildlife Area (designated areas)

~~Lake Shelbyville—Kaskaskia and West Okaw Wildlife Management
Areas (waterfowl management units and designated non-toxic shot units
only)~~

Mackinaw River State Fish and Wildlife Area

Marshall State Fish and Wildlife Area (#)

Matthiessen State Park

Mautino State Fish and Wildlife Area

Mazonia State Fish and Wildlife Area (#)

Mississippi River State Fish and Wildlife Area (Pools 25 and 26)

Moraine View State Park

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Mt. Vernon Game Propagation Center (#)

Peabody River King State Fish and Wildlife Area

Pyramid State Park – Captain Unit

Pyramid State Park – Denmark Unit

Pyramid State Park – East Conant Unit

Pyramid State Park – Galum Unit

Rend Lake State Fish and Wildlife Area and Corps of Engineers managed areas of Rend Lake

Rice Lake State Fish and Wildlife Area

Sam Parr State Fish and Wildlife Area (#)

Sand Prairie Pheasant Habitat Area

Sanganois State Fish and Wildlife Area

Sangchris Lake State Park

Shabbona Lake State Park

Shelbyville State Fish and Wildlife Area (waterfowl management units and designated non-toxic shot units only) (1)

Silver Springs State Fish and Wildlife Area

Snakeden Hollow State Fish and Wildlife Area/Victoria Pheasant Habitat Area

Spoon River State Forest

Ten Mile Creek State Fish and Wildlife Area (areas posted as rest area on

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the Eads and Belle Rive Units)

Union County Conservation Area

- 3) On areas where hunters are required to hunt from marked or staked sites, hunters must hunt within 10 feet of the marked site.
 - 4) No hunting is allowed within 100 yards of a designated dove management field except for hunters who are part of the hunter quota for that field.
 - 5) At sites indicated by (#), hunters are required to check in and/or sign out as provided in 17 Ill. Adm. Code 510. Sites that require use of windshield cards by hunters as specified in 17 Ill. Adm. Code 510.10 are followed by (1).
 - 6) At sites where additional regulations apply, they are noted in parentheses after the site name.
 - 7) Hunting hours and hunting dates at all sites that are open during the upland game season shall coincide with hunting hours and hunting dates listed for the respective sites listed in 17 Ill. Adm. Code 530.
- c) Statewide season regulations as provided for in this rule shall apply at the following sites:
- Argyle Lake State Park (season opens day after Labor Day) (1)(#)
 - Cache River State Natural Area (#)
 - Campbell Pond Wildlife Management Area (1)(#)
 - Cape Bend State Fish and Wildlife Area (#)
 - Carlyle Lake Lands and Waters – Corps of Engineers managed lands (#)
 - Chauncey Marsh State Natural Area (permit required; may be obtained at Red Hills State Park headquarters; permits must be returned by 15 February)

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Corps of Engineers managed areas of Rend Lake

Cypress Pond State Natural Area (#)

Deer Pond State Natural Area ~~(#)~~

Devil's Island State Fish and Wildlife Area

Dog Island Wildlife Management Area ~~(1)(#)~~

Ferne Clyffe State Park (#)

Ft. de Chartres State Historic Site (muzzleloading shotgun only) (#)

Ft. Massac State Park ~~(1)(#)~~

Freeman Mine (permit required)

Marshall State Fish and Wildlife Area ~~(1)(#)~~

Mazonia State Fish and Wildlife Area (season closes September 30) (#)

Meeker State Habitat Area ~~(1)(permit required; may be obtained at Sam Parr State Fish and Wildlife Area headquarters; must be returned by February 15)~~

Mernet Lake State Fish and Wildlife Area ~~(1)(#)~~

Mississippi River Pools 16, 17 and 18

Mississippi River Pools 21, 22, 24

Mississippi River State Fish and Waterfowl Management Area (Pools 25 and 26)

Nauvoo State Park – Max Rowe Unit (1)

Oakford Conservation Area

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Ray Norbut State Fish and Wildlife Area ~~(1)(#)~~

Red Hills State Park ~~(1)(#)~~

Sahara Woods State Fish and Wildlife Area ~~(1)(#)~~

Sand Ridge State Forest (permit required; must be returned by February 15)

Sangamon County Conservation Area

Sielbeck Forest Natural Area ~~(1)(#)~~

Spoon River State Forest ~~(1)(#)~~

Trail of Tears State Forest (#)

Weinberg-King State Park – ~~Scripps and Spunky Bottoms~~ ~~Units~~~~Unit~~
~~(1)(#)~~

Wildcat Hollow State Forest ~~(1)~~

Wise Ridge State Natural Area

- d) Statewide regulations as provided in this Part shall apply at the following sites except that hunting hours are 12 noon to 5 p.m. daily September 1-5; season closes September 30. A drawing will be held at 11 a.m. if more hunters show up than can be accommodated.

Banner Marsh State Fish and Wildlife Area (sunrise to noon daily September 1-5, drawing one hour before sunrise; black powder firearms only on September 2) (#)

Double T State Fish and Wildlife Area ~~(sunrise to noon daily September 1-5, drawing one hour before sunrise)~~ (#)

Hennepin Canal State Park (#)

Iroquois County Wildlife Management Area ~~(1)(#)~~

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Jubilee College State Park (hunting allowed only on opening day, Saturdays, Sundays, Wednesdays and holidays) (#)

Mautino State Fish and Wildlife Area (#)

Morrison Rockwood State Park (#)

Rice Lake State Fish and Wildlife Area (sunrise to noon daily September 1-5, drawing one hour before sunrise) (#)

Sam Dale Lake State Fish and Wildlife ~~Conservation~~ Area (1)(#)

Sanganois State Fish and Wildlife Area

Snakeden Hollow State Fish and Wildlife Area/Victoria Pheasant Habitat Area

- e) Statewide regulations as provided for in this Part shall apply at the following sites, except that hunting hours are 12 noon to 5 p.m. daily September 1-5. A drawing will be held at 11 a.m. if more hunters show up than can be accommodated.

Anderson Lake Conservation Area (#)

~~Big Bend State Fish and Wildlife Area~~

Big River State Forest (1)(#)

Carlyle Lake State Fish and Wildlife ~~Management~~ Area (1)(#)

Chain O'Lakes State Park (closes September 5)(#)

Clinton Lake State Recreation Area (dove management fields only) (1)(#)

Eldon Hazlet State Park (closes October 14) (#)

Fox Ridge State Park (dove management fields only)

Harry "Babe" Woodyard State Natural Area (permit required) (1)(#)

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Hidden Springs State Forest (dove management fields only) ~~(1)~~

Horseshoe Lake State Fish and Wildlife Area (Alexander County) (season closes at the end of the first statewide split season) (#)

Kaskaskia River State Fish and Wildlife Area (Doza Creek Waterfowl Management Area closes October 14; the defined Baldwin Lake Waterfowl Rest Area is closed) (#)

Kinkaid State Fish and Wildlife Area (#)

~~Lake Shelbyville—Kaskaskia and West Okaw Wildlife Management Areas (dove management fields only)~~

Marseilles State Fish and Wildlife Area (after Labor Day, site is closed on Fridays, Saturdays, and Sundays through October; hunters must leave their guns at the stake site when retrieving downed birds; unauthorized personnel may not be on the site outside of the posted check station operating hours; hunters may only enter the site from designated parking lots) (#)

Middle Fork State Fish and Wildlife Area (dove management fields only) ~~(1)(#)~~

Moraine View State Park (dove management fields only; season closes October 14) ~~(1)(#)~~

Newton Lake Fish and Wildlife Area (dove management units) ~~(1)(#)~~

Peabody River King State Fish and Wildlife Area (East Subunit closes October 14) (#)

Pyramid State Park (permit required; permit must be returned by February 15; no dove hunting is allowed September 1-5 within 200 yards of a designated dove management field, except for hunters who are part of the hunter quota for that field; all hunters must register as a group not to exceed 4 names per card; a hunter's name may only appear on one lottery card; the lottery card shall be in the possession of the hunter or group)

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while hunting) [\(1\)](#)

Pyramid State Park – Captain Unit (permit required; permit must be returned by February 15; successful lottery participants must report their daily harvest during September 1-5 in harvest boxes on each management unit; unsuccessful lottery participants and other hunters not participating in the lottery drawing may only hunt in designated areas during September 1-5 (i.e., all land west of the Western Haul Road and all land east of the Eastern Haul Road to the shore of Super Lake to South Haul Road); all hunters must register as a group not to exceed 4 names per card; a hunter's name may only appear on one lottery card; the lottery card shall be in the possession of the hunter or group while hunting) [\(1\)](#)

Pyramid State Park – Denmark Unit (permit required; permit must be returned by February 15; successful lottery participants must report their daily harvest during September 1-5 in harvest boxes on each management unit; unsuccessful lottery participants and other hunters not participating in the lottery drawing may only hunt in designated areas during September 1-5 (i.e., all land south of Quonset Hut Road to Tangen Cemetery Road to Brushy Creek Road); all hunters must register as a group not to exceed 4 names per card; a hunter's name may only appear on one lottery card; the lottery card shall be in the possession of the hunter or group while hunting) [\(1\)](#)

Pyramid State Park – East Conant Unit (permit required; permit must be returned by February 15; successful lottery participants must report their daily harvest during September 1-5 in harvest boxes on each management unit; no dove hunting is allowed September 1-5 within 200 yards of a designated dove management field except for hunters who are part of the hunter quota for that field; all hunters must register as a group not to exceed 4 names per card; a hunter's name may only appear on one lottery card; the lottery card shall be in the possession of the hunter or group while hunting) [\(1\)](#)

Pyramid State Park – Galum Unit (permit required; permit must be returned by February 15; successful lottery participants must report their daily harvest during September 1-5 in harvest boxes on each management unit; no dove hunting is allowed September 1-5 within 200 yards of a designated dove management field except for hunters who are part of the

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hunter quota for that field; all hunters must register as a group not to exceed 4 names per card; a hunter's name may only appear on one lottery card; the lottery card shall be in the possession of the hunter or group while hunting) (1)

Randolph County State Conservation Area (#)

Shelbyville State Fish and Wildlife Area (dove management fields only)
(1)

Siloam Springs State Park – Buckhorn Unit (1)(#)

Turkey Bluffs State Fish and Wildlife Area (#)

Union County State Fish and Wildlife Area (season closes at the end of the first statewide split season) (#)

Washington County Conservation Area (closes October 14) (#)

Weinberg-King State Park (1)(#)

World Shooting and Recreation Complex (designated dove management fields only) (#)

- f) Statewide regulations as provided for in this Part shall apply at the following sites, except that hunting hours are 12 noon to 5 p.m. daily September 1-30. A drawing will be held at 11 a.m. if more hunters show up than can be accommodated.

Crawford County State Fish and Wildlife Area (#)

Hamilton County State Fish and Wildlife Area (1)(#)

Lake Le Aqua Na State Park (#)

Sam Parr State Fish and Wildlife Area (1)(#)

Shabbona Lake State Park (1)(#)

Skinner Farm State Habitat Area (#)

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Stephen A. Forbes State ~~Recreation Area~~Park (season opens day after Labor Day) ~~(1)~~(#)

- g) Statewide regulations as provided for in this Part shall apply at the following sites, except that hunting hours are 12 noon to 5 p.m. daily. Hunting is allowed on opening day, Wednesday, and Saturday only. A drawing will be held at 11 a.m. if more hunters show up than can be accommodated.

Giant City State Park (#)

Saline County State Fish and Wildlife Area ~~(1)~~(#)

- h) Statewide regulations apply except that hunting hours are 12 noon to 5 p.m. from September 1-5; hunters must obtain a free permit from the Department; permits must be in possession while hunting on the site. Permit must be returned and harvest reported by February 15 or hunter will forfeit hunting privileges for that site for the following season.

Clinton Lake State Recreation Area (except dove management fields) ~~(1)~~

Fox Ridge State Park (except dove management units; shooting hours after September 5 are 12 noon to sunset) ~~(1)~~

Hidden Springs State Forest (except dove management fields) ~~(1)~~

Kickapoo State ~~Recreation Area (1)~~Park

Lake Shelbyville – Eagle Creek State Park (season opens day after Labor Day; closes October 14; shooting hours are 12 noon to sunset) ~~(1)~~

Lake Shelbyville – Kaskaskia and West Okaw Wildlife Management Areas (~~hunters must hunt from designated stakes within dove management fields, with a maximum of 2 hunters per stake~~except dove management fields; shooting hours after September 5 are 12 noon to sunset) ~~(1)~~

Middle Fork State Fish and Wildlife Area (except dove management units) ~~(1)~~

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Moraine View State Park (except dove management fields; season closes October 14) (1)

Newton Lake Fish and Wildlife Area (except dove management units) (1)

- i) Statewide regulations as provided for in this Part shall apply at the following sites, except that hunting hours are sunrise to 11:30 a.m. daily September 1-5; season closes September 30. A drawing will be held one hour before sunrise if more hunters show up than can be accommodated.

Johnson-Sauk Trail State Recreation Area (#)

Mt. Vernon Game Propagation Center (#)

Rend Lake State Fish and Wildlife Area (#)

Ten Mile Creek State Fish and Wildlife Area (season closes on statewide closing date; ~~permit required; must be returned by February 15~~) (1)

- j) Permit Areas

- 1) Permit Season Regulations

A) Permit season dates shall be September 1-5 and hunting hours are 12 noon to 5 p.m. at the sites listed at the end of this subsection.

- B) Permit Applications

Permit applications will be accepted starting in June. Initial acceptance dates and methods for making applications will be publicly announced. A hunter can obtain up to 2 dove permits as follows: Only applications submitted by Illinois residents will be processed during the first lottery to apply for up to one dove permit. Non-residents and residents who did not receive a permit or did not apply in the first lottery will be eligible to participate in the second lottery to apply for their first dove permit. Residents will have priority in the 2nd lottery. Residents and non-residents can apply for a 2nd permit during the phone-in reservation period to be held after the lottery. Successful applicants will be sent confirmation via email or can access the Reservation Inquiry

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System to see if they were awarded a permit.

- C) Drawings for permits at specific sites may be canceled at any time due to flooding, inclement weather, staff shortages or other adverse conditions beyond the Department's control. Hunters are urged to select a second choice of sites on their permit application.
 - D) Permits are not transferrable.
 - E) Permits will be issued from the Springfield Permit Office for permit controlled sites. For other information, go to www.dnr.illinois.gov.
 - F) Hunting at these areas is by special permit only for the first five days of the season; thereafter, no permits are required for hunting these sites, except at Jim Edgar Panther Creek State Fish and Wildlife Area as indicated in subsection (j)(3). All permits will be issued from Springfield and not from the site, except at Panther Creek State Fish and Wildlife Area as indicated in subsection (j)(3).
 - G) Check in time for registration shall be between 9 a.m. and 11 a.m. each day. Openings after 11 a.m. will be filled by drawing for standbys if more hunters register than there are vacancies.
 - H) All hunters must wear a DNR issued backpatch.
- 2) Non-Permit Season Regulations
- A) Non-permit season shall be September 6-30 except as indicated in parentheses.
 - B) Non-permit hunting hours shall be 12 noon to sunset except as indicated in parentheses.
 - C) No permits are required except as indicated in parentheses.
 - D) Check in and check out is required except as indicated in parentheses.

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E) Hunter quotas will be filled on a first come-first served basis.

3) Sites

Big Bend State Fish and Wildlife Area

Coffeen Lake State Fish and Wildlife Area (non-permit hunting hours are 12 noon to 5:00 p.m.)

Des Plaines Conservation Area (~~non-permit hunting hours are 12 noon to 5 p.m.~~)

Edward R. Madigan State Park

Green River State Wildlife Area/Sand Prairie Habitat Area (non-permit hunting hours are sunrise to sunset) (1)

Horseshoe Lake State Park (Madison County) (non-permit hunting hours are 12 noon to 5 p.m.)

Horseshoe Lake State Park (Madison County) Gabaret, Mosenthein, Chouteau Island Unit (non-permit hunting hours are 12 noon to 5:00 p.m. September 6 through October 14)

Jim Edgar Panther Creek State Fish and Wildlife Area (for days 6 through 10 of the season, hunting hours are noon to 6:00 p.m. and hunters must check in and out at the site office; permit required as indicated in subsection (i) for days 11 through the end of the statewide dove season; hunting hours for days 11 through the end of the statewide dove season are sunrise to sunset; on the Controlled Unit only those hunters engaged in the controlled pheasant hunting program may take doves during the November portion of the dove season; on the Quail Management Unit only those hunters with Quail Management Unit Permits may take doves during the November portion of the dove season)

Kankakee River State Park

Mackinaw River State Fish and Wildlife Area (non-permit hunting hours

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sunrise to sunset; each permit authorizes the holder to bring one hunting partner)

Matthiessen State Park (~~non-permit hunting hours are sunrise to sunset~~)

Ramsey Lake State Park (non-permit hunting hours are 12 noon to 5 p.m.)

Sangchris Lake State Park (closed after Sunday of the third weekend in September; designated fields will be open from sunrise to 12 noon starting the 6th day of the dove season)

Silver Springs State Park (closed during National Hunting and Fishing Day Weekend)

k) Violation of a site specific regulation is a petty offense (see 520 ILCS 5/2.20).

(Source: Amended at 37 Ill. Reg. 20717, effective December 12, 2013)

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- 1) Heading of the Part: Crow, Woodcock, Snipe, Rail and Teal Hunting
- 2) Code Citation: 17 Ill. Adm. Code 740
- 3) Section Number: 740.20 Adopted Action:
Amend
- 4) Statutory Authority: Implementing and authorized by Sections 1.2, 1.3, 1.4, 2.1, 2.2, 2.18, 2.26, 2.33 and 3.5 of the Wildlife Code [520 ILCS 5/1.2, 1.3, 1.4, 2.1, 2.2, 2.18, 2.26, 2.33 and 3.5] and Migratory Bird Hunting (50 CFR 20, August 25, 1987)
- 5) Effective Date of Rule: December 12, 2013
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this rulemaking contain incorporations by reference? No
- 8) A copy of the adopted rule, including all material incorporated by reference, is on file in the Department of Natural Resources' principal office and is available for public inspection.
- 9) Notice of Proposal published in the *Illinois Register*: August 16, 2013; 37 Ill. Reg. 13322
- 10) Has JCAR issued a Statement of Objection to this rulemaking? No
- 11) Differences between Proposal and Final Version:

In Section 740.20, Jim Edgar Panther Creek State Fish and Wildlife Area", "quality unit or controlled unit permit" has been changed to "free upland game permit"; in "Pyramid State Park – Captain Unit", "quality upland" has been changed to "free upland game"; in "Pyramid State Park – East Conant Unit", "quality" has been changed to "free" and "game" has been added after "upland"
- 12) Have all the changes agreed upon by the Agency and JCAR been made as indicated in the agreements issued by JCAR? No agreements were necessary.
- 13) Will this rulemaking replace an emergency rule currently in effect? No
- 14) Are there any rulemakings pending on this Part? No

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- 15) Summary and Purpose of Rulemaking: This Part has been amended to make statewide program changes, open and close state-owned or –managed sites and amend procedures at state sites.
- 16) Information and questions regarding this adopted rule shall be directed to:

Julia Lawrence, Legal Counsel
Department of Natural Resources
One Natural Resources Way
Springfield IL 62702-1271

217/782-1809

The full text of the Adopted Amendment begins on the next page:

DEPARTMENT OF NATURAL RESOURCES

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TITLE 17: CONSERVATION
CHAPTER I: DEPARTMENT OF NATURAL RESOURCES
SUBCHAPTER b: FISH AND WILDLIFEPART 740
CROW, WOODCOCK, SNIPE, RAIL AND TEAL HUNTING

Section

- 740.10 Statewide Regulations
740.20 Regulations at Various Department-Owned or -Managed Sites

AUTHORITY: Implementing and authorized by Sections 1.2, 1.3, 1.4, 2.1, 2.2, 2.18, 2.26, 2.33 and 3.5 of the Wildlife Code [520 ILCS 5/1.2, 1.3, 1.4, 2.1, 2.2, 2.18, 2.26, 2.33 and 3.5] and Migratory Bird Hunting (50 CFR 20, August 25, 1987).

SOURCE: Adopted at 5 Ill. Reg. 8896, effective August 25, 1981; codified at 5 Ill. Reg. 10645; amended at 6 Ill. Reg. 357, effective December 23, 1981; amended at 6 Ill. Reg. 9648, effective July 21, 1982; amended at 7 Ill. Reg. 8815, effective July 15, 1983; amended at 8 Ill. Reg. 16796, effective August 30, 1984; amended at 9 Ill. Reg. 11620, effective July 16, 1985; peremptory amendments at 9 Ill. Reg. 14383, effective September 5, 1985; amended at 10 Ill. Reg. 15607, effective September 16, 1986; amended at 11 Ill. Reg. 9575, effective May 5, 1987; emergency amendments at 11 Ill. Reg. 15253, effective August 28, 1987, for a maximum of 150 days; emergency expired January 25, 1988; amended at 12 Ill. Reg. 12261, effective July 15, 1988; amended at 13 Ill. Reg. 12869, effective July 21, 1989; amended at 14 Ill. Reg. 11207, effective June 29, 1990; amended at 15 Ill. Reg. 10057, effective June 24, 1991; amended at 16 Ill. Reg. 11162, effective June 30, 1992; amended at 17 Ill. Reg. 10877, effective July 1, 1993; amended at 18 Ill. Reg. 9998, effective June 21, 1994; amended at 19 Ill. Reg. 10577, effective July 1, 1995; amended at 20 Ill. Reg. 10851, effective August 5, 1996; amended at 21 Ill. Reg. 9061, effective June 26, 1997; amended at 22 Ill. Reg. 14782, effective August 3, 1998; amended at 23 Ill. Reg. 9033, effective July 28, 1999; amended at 24 Ill. Reg. 8901, effective June 19, 2000; amended at 25 Ill. Reg. 11364, effective August 14, 2001; amended at 26 Ill. Reg. 13605, effective September 3, 2002; amended at 28 Ill. Reg. 12882, effective September 1, 2004; amended at 29 Ill. Reg. 9814, effective June 27, 2005; amended at 30 Ill. Reg. 12267, effective June 28, 2006; amended at 31 Ill. Reg. 9199, effective June 18, 2007; amended at 32 Ill. Reg. 10125, effective June 30, 2008; amended at 33 Ill. Reg. 9719, effective June 26, 2009; amended at 34 Ill. Reg. 12848, effective August 20, 2010; amended at 35 Ill. Reg. 13254, effective July 26, 2011; amended at 37 Ill. Reg. 20735, effective December 12, 2013.

Section 740.20 Regulations at Various Department-Owned or -Managed Sites

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a) All the rules in 17 Ill. Adm. Code 510 apply in this Section, unless this Section is more restrictive. Violation of a site specific regulation is a petty offense (see 520 ILCS 5/2.20). Sites that require use of windshield cards by hunters as specified in 17 Ill. Adm. Code 510.10 are followed by (1).

b) Woodcock, snipe and rail hunting; statewide regulations as provided for in this Part shall apply at the following areas (exceptions are in parentheses):

Alvah Borah State Habitat Area (1)

Anderson Lake Conservation Area (closed 7 days before duck season)

Big Bend State Fish and Wildlife Area

Big River State Forest (1)

Butterfield Trail State Recreation Area (1)

Cache River State Natural Area

Campbell Pond Wildlife Management Area (1)

Cape Bend State Fish and Wildlife Area

Carlyle Lake Lands and Waters – Corps of Engineers managed lands

Carlyle Lake Wildlife Management Area (sub-impoundment area closes 7 days prior to the southern zone waterfowl season)

Chauncey Marsh State Natural Area (1)

Clinton Lake State Recreation Area (4:00 p.m. daily closing) (1)

Crawford County Conservation Area (1)

Cypress Pond State Natural Area

Deer Pond State Natural Area

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Devil's Island

Dog Island Wildlife Management Area

Eldon Hazlet State Park (North of Allen Branch and west of Peppenhorst Branch only)

Ferne Clyffe State Park

Ft. de Chartres Historic Site (hunting with muzzleloading shotgun only)

Ft. Massac State Park

[Fox Ridge State Park \(woodcock only; 4:00 p.m. daily closings\) \(1\)](#)

Giant City State Park

[Green River State Wildlife Area \(1\)](#)

Hamilton County Conservation Area (statewide hours until rabbit season, then 8:00 a.m. to 4:00 p.m.) [\(1\)](#)

[Harry "Babe" Woodyard State Natural Area \(woodcock only; closes October 31\) \(1\)](#)

[Hidden Springs State Forest \(4:00 p.m. daily closing\) \(1\)](#)

Horseshoe Lake Conservation Area (public hunting area except controlled goose hunting area)

Iroquois County Wildlife Management Area (season closes the day before permit pheasant season; 4:00 p.m. daily closing; sign in/out required; closed to snipe hunting) [\(1\)](#)

[Jim Edgar Panther Creek State Fish and Wildlife Area \(hunters are restricted to the Open Units portion of the site during the controlled pheasant season, except those hunters who possess a valid free upland game permit \(1\)\)](#)

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Jubilee College State Park (season coincides with Jubilee Upland season, 17 Ill. Adm. Code 530.110)

Kaskaskia River State Fish and Wildlife Area (Doza Creek Waterfowl Management Area closed 7 days prior to waterfowl season; the defined Baldwin Lake Waterfowl Rest Area is closed)

Kickapoo State Recreation Area (woodcock only; 4:00 p.m. daily closing; closed during firearm deer season) (1)

Kinkaid Lake Fish and Wildlife Area

Lake Shelbyville – Eagle Creek State Park (woodcock only; 4:00 p.m. daily closing; closes opening day of site's pheasant season) (1)

~~Marseilles State Fish and Wildlife Area (woodcock only; Monday-Thursday only through October; unauthorized personnel may not be on the site outside of the posted check station operating hours; hunters may only enter the site from designated parking lots)~~

Marshall State Fish and Wildlife Area – All Units (open during teal and early goose season only)

Meeker State Habitat Area (1)

Mermet Lake Fish and Wildlife Area

Middle Fork State Fish and Wildlife Area (woodcock only; 4:00 p.m. daily closing; closed during firearm deer season) (1)

Mississippi River Fish and Waterfowl Management Area (Pools 25 and 26)

Mississippi River Pools 16, 17, and 18

Mississippi River Pools 21, 22 and 24

Moraine View State Park (woodcock only; 4:00 p.m. daily closing; season

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closes the day before site's controlled pheasant season) (1)

Newton Lake State Fish and Wildlife Area (woodcock only; closed during firearm deer season) (1)

Oakford Conservation Area

Peabody River King State Fish and Wildlife Area (West subunit only; woodcock only)

Pyramid State Park (permit required; must be returned by February 15) (1)

Pyramid State Park – Captain Unit (open to hunters with a free upland game permit, daily draw waterfowl permit and site permit) (1)

Pyramid State Park – Denmark Unit (open to hunters with a free upland game permit, daily draw waterfowl permit and site permit) (1)

Pyramid State Park – East Conant Unit (open to hunters with a free upland game permit, daily draw waterfowl permit and site permit) (1)

Pyramid State Park – Galum Unit (permit required; must be returned by February 15) (1)

Ramsey Lake State Park (statewide hours until rabbit season begins; then 8:00 a.m. to 4:00 p.m.)

Randolph County Conservation Area (woodcock only)

Ray Norbut State Fish and Wildlife Area (1)

Red Hills State Park (1)

Rend Lake State Fish and Wildlife Area and Corps of Engineers managed areas of Rend Lake

Rice Lake Wildlife Area (season open during teal season only; sunrise until 1:00 p.m.)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENT

Sahara Woods State Fish and Wildlife Area [\(1\)](#)

Saline County Fish and Wildlife Area [\(1\)](#)

Sam Dale Lake [State Fish and Wildlife Conservation](#) Area (statewide hours until rabbit season, then 8:00 a.m. to 4:00 p.m.) [\(1\)](#)

Sam Parr State [Fish and Wildlife Area](#) ~~Park~~ (statewide hours until rabbit season, then 8:00 a.m. to 4:00 p.m.) [\(1\)](#)

Sand Ridge State Forest (During the controlled pheasant hunting season, hunters must abide by those portions of 17 Ill. Adm. Code 530.105 and 530.110 which pertain to Sand Ridge State Forest) [\(1\)](#)

[Sanganois State Fish and Wildlife Area \(1\)](#)

[Shelbyville State Fish and Wildlife Area \(4:00 p.m. daily closing\) \(1\)](#)

Sielbeck Forest Natural Area [\(1\)](#)

Skinner Farm State Habitat Area

Snake Den Hollow Fish and Wildlife Area/Victoria Pheasant Habitat Area (closes September 30) [\(1\)](#)

[Spoon River State Forest \(1\)](#)

Stephen A. Forbes State [Recreation Area](#) ~~Park~~ (statewide hours until rabbit season, then 8:00 a.m. to 4:00 p.m.) [\(1\)](#)

[Ten Mile Creek Fish and Wildlife Area \(non-toxic shot only for woodcock hunting in waterfowl rest areas\) \(1\)](#)

Trail of Tears State Forest

Turkey Bluffs Fish and Wildlife Area

Union County Conservation Area (Firing Line Management Area only)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENT

Washington County Conservation Area (woodcock only)

Weinberg-King State Park (1)

Weinberg-King State Park – Spunky Bottoms Unit (~~1 check-in/check-out required~~)

Wildcat Hollow State Forest

Wise Ridge State Natural Area

- c) Woodcock, snipe and rail hunting permitted, exceptions as noted in parentheses. Hunters must obtain a permit from site office and permit must be in possession while hunting. Failure to report harvest by February 15 will result in loss of hunting privileges at that site for the following year.

~~Chauncey Marsh State Natural Area (obtain permit at Red Hills State Park headquarters)~~

~~Clinton Lake State Recreation Area (4:00 p.m. daily closing)~~

~~Fox Ridge State Park (woodcock only; 4:00 p.m. daily closing)~~

~~Harry "Babe" Woodyard State Natural Area (woodcock only; closes October 31)~~

~~Hidden Springs State Forest (4:00 p.m. daily closing)~~

Horseshoe Lake State Park (Madison County) – Gabaret, Mosenthein, Chouteau Island Unit (permit required)

~~Jim Edgar Panther Creek State Fish and Wildlife Area (hunters are restricted to the Open Units portion of the site during the controlled pheasant season, except those hunters who possess a valid Quality Unit or Controlled Unit permit)~~

~~Kickapoo State Park (woodcock only; 4:00 p.m. daily closing; closed during firearm deer season)~~

DEPARTMENT OF NATURAL RESOURCES

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~~Lake Shelbyville—Eagle Creek State Park (woodcock only; 4:00 p.m. daily closing; closes opening day of site's pheasant season)~~

~~Lake Shelbyville—Kaskaskia and West Okaw Wildlife Management Area (4:00 p.m. daily closing)~~

~~Meeker State Habitat Area (obtain permit at Sam Parr State Park headquarters)~~

~~Middle Fork Fish and Wildlife Area (woodcock only; 4:00 p.m. daily closing; closed during firearm deer season)~~

~~Moraine View State Park (woodcock only; 4:00 p.m. daily closing; season closes the day before site's controlled pheasant season)~~

~~Newton Lake State Fish and Wildlife Area (woodcock only; closed during firearm deer season)~~

~~Pyramid State Park (permit required; must be returned by February 15)~~

~~Pyramid State Park—Captain Unit (open to hunters with a quality upland permit, daily draw waterfowl permit and site permit)~~

~~Pyramid State Park—Denmark Unit (open to hunters with a quality upland permit, daily draw waterfowl permit and site permit)~~

~~Pyramid State Park—East Conant Unit (open to hunters with a quality upland permit, daily draw waterfowl permit and site permit)~~

~~Pyramid State Park—Galum Unit (permit required; must be returned by February 15)~~

~~Sanganois State Fish and Wildlife Area~~

~~Ten Mile Creek Fish and Wildlife Area (non-toxic shot only for woodcock hunting in waterfowl rest areas)~~

- d) Teal hunting; statewide regulations as provided for in this Part shall apply on the following sites, except no permanent blinds allowed except as authorized in 17 Ill.

DEPARTMENT OF NATURAL RESOURCES

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Adm. Code 590.15, 590.20, 590.40 and 590.50 (exceptions are in parentheses):

Anderson Lake ~~State Fish and Wildlife Conservation~~ Area

~~Blanding Wildlife Area~~

Cache River State Natural Area

Campbell Pond Wildlife Management Area (1)

Cape Bend State Fish and Wildlife Area

Carlyle Lake Lands and Waters – Corps of Engineers managed lands
(waters of Peppenhorst Branch and Allen Branch north of the buoys only)

Carlyle Lake Wildlife Management Area (teal hunting prohibited east of
Kaskaskia River from the Cox's Bridge Access north to DNR property
boundary)

Chain O'Lakes State Park (hunting is allowed only from numbered blind
sites; the blinds need not be completed)

Chauncey Marsh State Natural Area (~~1 obtain permit at Red Hills State
Park headquarters~~)

Clinton Lake State Recreation Area (hunting in waterfowl areas East of
Parnell Bridge and North of Route 54 only)

Coffeen Lake State Fish and Wildlife Area (hunters must sign in prior to
hunting and sign out reporting harvest at the end of each day; hunting
from staked sites only; no permanent blinds; hunting by boat access only;
no cutting vegetation on site; hunting north of North 6th Avenue only; four
hunters per blind site; no fishing north of North 6th Avenue during this
season; shooting hours from legal opening to 9:00 a.m.; all hunters must
be signed out by 10:00 a.m.)

Cypress Pond State Natural Area

Deer Pond State Natural Area

DEPARTMENT OF NATURAL RESOURCES

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Des Plaines Conservation Area (hunting is allowed only from numbered blind sites; the blinds need not be completed)

Devil's Island

Dog Island Wildlife Management Area (1)

Eldon Hazlet State Park – North Allen Branch Waterfowl Management Area

Ft. de Chartres Historic Site (hunting is allowed from anchored, portable boat blinds only)

Horseshoe Lake Conservation Area – Public Hunting Area (Alexander County)

Horseshoe Lake State Park (Madison County) (hunting is allowed only from numbered blind sites; blind builders must claim their blinds ½ hour before shooting time each day or blind is open to the public; blinds need not be completed; hunters must sign in at the Main Office prior to hunting and sign out to report harvest after the hunt)

Horseshoe Lake State Park (Madison County) – Gabaret, Mosenthein, Chouteau Island Unit (permit required)

Kaskaskia River State Fish and Wildlife Area (the defined Baldwin Lake Waterfowl Rest Area is closed)

Kidd Lake State Natural Area (hunters must check in and out and report harvest each day; hunter quota filled on a first come-first served basis; cutting of vegetation is prohibited; use of boats within drainage ditch is prohibited)

~~Lake Shelbyville – Kaskaskia and West Okaw Wildlife Management Areas (site permit described in subsection (c) applies)~~

Lake Shelbyville – Corps of Engineers Managed Lands and Waters

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENT

Lake Sinnissippi Fish and Wildlife Area (hunting is allowed only from numbered blind sites; blind builders must claim their blinds ½ hour before shooting time each day or blind is open to the public; blinds need not be completed)

Marshall State Fish and Wildlife Area – all management units (~~check-in and check-out required~~)

Meredosia Lake

Mississippi River Fish and Waterfowl Management Area (Mississippi River Pools 25 and 26) (blind builders must claim their blinds ½ hour before shooting time or the blind is open for that day's hunt; no hunting allowed in the designated Batchtown waterfowl rest area, Crull Hollow waterfowl rest area and Godar waterfowl rest area)

Mississippi River Pools 16, 17 and 18

Mississippi River Pools 21, 22 and 24

Oakford Conservation Area

Pyramid State Park – Captain Unit (permit required; must be returned by February 15; hunting not allowed in Captain Unit waterfowl rest area) (1)

Pyramid State Park – Denmark Unit (permit required; must be returned by February 15; hunting not allowed in Denmark Unit waterfowl rest area) (1)

Pyramid State Park – East Conant Unit (permit required; must be returned by February 15) (1)

Pyramid State Park – Galum Unit (permit required; must be returned by February 15) (1)

Ray Norbut Fish and Wildlife Area (1)

Rend Lake State Fish and Wildlife Area and Corps of Engineers managed areas of Rend Lake (no trespassing or hunting allowed on Rend Lake)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENT

Refuge during teal or early Canada goose seasons)

Rice Lake Fish and Wildlife Area (check in and check out required; sunrise until 1:00 p.m.)

Saline County Fish and Wildlife Area (1)

Sand Ridge State Forest (1)

Sanganois State Fish and Wildlife Area (1 ~~permit required~~)

Shelbyville State Fish and Wildlife Area (1)

Snake Den Hollow Fish and Wildlife Area/Victoria Pheasant Habitat Area

Stephen A. Forbes State Recreation Area ~~Park~~ (walk-in hunting in the subimpoundment only) (1)

Ten Mile Creek State Fish and Wildlife Area (1 ~~permit required~~)

Turkey Bluffs State Fish and Wildlife Area

Union County Conservation Area (public hunting area and firing line unit only)

Weinberg-King State Park – Spunky Bottoms Unit (1) ~~(check-in/check-out required)~~

Wise Ridge State Natural Area

Woodford Fish and Wildlife Area (1)

e) Crow Hunting

- 1) Statewide regulations as provided for in this Part shall apply at the following sites (season dates in parentheses):

Alvah Borah State Habitat Area (1)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENT

Anderson Lake Conservation Area

Big Bend State Fish and Wildlife Area

Big River State Forest [\(1\)](#)

Green River State Wildlife Area (January 1 through statewide closing) [\(1\)](#)

Hamilton County State Fish and Wildlife Area [\(1\)](#)

Jim Edgar Panther Creek State Fish and Wildlife Area (East and West Open Units) [\(1\)](#)

Mississippi River Pools 16, 17, 18

Mississippi River State Fish and Wildlife Area (Pools 25 and 26)

Pyramid State Park (permit required; must be returned by February 15) [\(1\)](#)

Pyramid State Park – Captain Unit (no hunting in waterfowl rest area; permit required, must be returned by February 15) [\(1\)](#)

Pyramid State Park – Denmark Unit (no hunting in waterfowl rest area; permit required, must be returned by February 15) [\(1\)](#)

Pyramid State Park – East Conant Unit (permit required, must be returned by February 15) [\(1\)](#)

Pyramid State Park – Galum Unit (permit required, must be returned by February 15) [\(1\)](#)

Ray Norbut Fish and Wildlife Area [\(1\)](#)

Rend Lake State Fish and Wildlife Area and Corps of Engineers managed areas of Rend Lake

[Sand Ridge State Forest \(1\)](#)

DEPARTMENT OF NATURAL RESOURCES

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Sanganois State Fish and Wildlife Area (day after Canada goose season closes through statewide closing; nontoxic shot only ~~(1); permit required~~)

Spoon River State Forest (~~1~~all hunters must sign in/sign out)

Stephen A. Forbes State ~~Recreation Area (1)Park~~

~~Ten Mile Creek Fish and Wildlife Area (non-toxic shot only for crow hunting in waterfowl rest areas) (1)~~

Weinberg-King State Park – Spunky Bottoms Unit (~~1~~check-in/check-out required)

Wise Ridge State Natural Area

- 2) Crow hunting permitted, exceptions as noted in parentheses. Hunters must obtain a permit from site office and permit must be in possession while hunting. Failure to report harvest by March 15 will result in loss of hunting privileges at that site for the following year:

Horseshoe Lake State Park (Madison County) (~~February 1-28~~begins the day after controlled pheasant hunting closes through the end of February)

Horseshoe Lake State Park (Madison County) – Gabaret, Mosenthein, Chouteau Island Unit

~~Sand Ridge State Forest~~

~~Ten Mile Creek Fish and Wildlife Area (non-toxic shot only for crow hunting in waterfowl rest areas)~~

- 3) All hunters must make a reasonable effort to retrieve downed birds. All crows must be removed from the site by the hunter.

(Source: Amended at 37 Ill. Reg. 20735, effective December 12, 2013)

DEPARTMENT OF REVENUE

NOTICE OF ADOPTED AMENDMENT

- 1) Heading of the Part: Income Tax
- 2) Code Citation: 86 Ill. Adm. Code 100
- 3) Section Number: 100.2470 Adopted Action:
Amendment
- 4) Statutory Authority: [35 ILCS 5/203(a)(2)(N), 203(b)(2)(J), 203(c)(2)(K) and 203(d)(2)(G)]
- 5) Effective Date of Rule: December 13, 2013
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this rulemaking contain incorporations by reference? No
- 8) A copy of the adopted rule, including any material incorporated by reference, is on file in the Agency's principal office and is available for public inspection.
- 9) Notice of Proposal published in the *Illinois Register*: 37 Ill. Reg. 13887; August 30, 2013
- 10) Has JCAR issued a Statement of Objection to this Rulemaking? No
- 11) Differences between Proposal and Final Version: The only changes made were the ones agreed upon with JCAR. The changes made were grammar and punctuation or technical. No substantive changes were made.
- 12) Have all the changes agreed upon by the Agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes
- 13) Will this rulemaking replace any emergency rulemaking currently in effect? No
- 14) Are there any rulemakings pending on this Part? Yes

<u>Section Numbers:</u>	<u>Proposed Action:</u>	<u>Illinois Register Citation:</u>
100.2110	Amendment	37 Ill. Reg. 15464, September 27, 2013
100.2120	Amendment	37 Ill. Reg. 15464, September 27, 2013
100.2160	Amendment	37 Ill. Reg. 15464, September 27, 2013
100.2185	Amendment	37 Ill. Reg. 15464, September 27, 2013

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100.2190	Amendment	37 Ill. Reg. 15464, September 27, 2013
100.2480	Amendment	37 Ill. Reg. 15464, September 27, 2013
100.2655	Amendment	37 Ill. Reg. 15464, September 27, 2013
100.2657	New Section	37 Ill. Reg. 19082, December 2, 2013

15) Summary and Purpose of Rulemaking: This rulemaking provides guidance for financial organizations entitled to claim a subtraction for interest income from loans secured by property that qualifies for the High Impact Business Investment Credit.

16) Information and questions regarding this adopted rule shall be directed to:

Paul Caselton
Deputy Counsel
Legal Services Office
Illinois Department of Revenue
101 West Jefferson
Springfield, Illinois 62794

217/782-7055

The full text of the Adopted Amendment begins on the next page:

DEPARTMENT OF REVENUE

NOTICE OF ADOPTED AMENDMENT

TITLE 86: REVENUE
CHAPTER I: DEPARTMENT OF REVENUEPART 100
INCOME TAX

SUBPART A: TAX IMPOSED

Section

- 100.2000 Introduction
100.2050 Net Income (IITA Section 202)

SUBPART B: CREDITS

Section

- 100.2100 Replacement Tax Investment Credit Prior to January 1, 1994 (IITA 201(e))
100.2101 Replacement Tax Investment Credit (IITA 201(e))
100.2110 Investment Credit; Enterprise Zone and River Edge Redevelopment Zone (IITA 201(f))
100.2120 Jobs Tax Credit; Enterprise Zone and Foreign Trade Zone or Sub-Zone (IITA 201(g))
100.2130 Investment Credit; High Impact Business (IITA 201(h))
100.2140 Credit Against Income Tax for Replacement Tax (IITA 201(i))
100.2150 Training Expense Credit (IITA 201(j))
100.2160 Research and Development Credit (IITA 201(k))
100.2163 Environmental Remediation Credit (IITA 201(l))
100.2165 Education Expense Credit (IITA 201(m))
100.2170 Tax Credits for Coal Research and Coal Utilization Equipment (IITA 206)
100.2180 Credit for Residential Real Property Taxes (IITA 208)
100.2185 Film Production Services Credit (IITA 213)
100.2190 Tax Credit for Affordable Housing Donations (IITA Section 214)
100.2193 Student-Assistance Contributions Credit (IITA 218)
100.2195 Dependent Care Assistance Program Tax Credit (IITA 210)
100.2196 Employee Child Care Assistance Program Tax Credit (IITA Section 210.5)
100.2197 Foreign Tax Credit (IITA Section 601(b)(3))
100.2198 Economic Development for a Growing Economy Credit (IITA 211)
100.2199 Illinois Earned Income Tax Credit (IITA Section 212)

SUBPART C: NET OPERATING LOSSES OF UNITARY BUSINESS GROUPS

DEPARTMENT OF REVENUE

NOTICE OF ADOPTED AMENDMENT

OCCURRING PRIOR TO DECEMBER 31, 1986

Section

- 100.2200 Net Operating Losses Occurring Prior to December 31, 1986, of Unitary Business Groups: Treatment by Members of the Unitary Business Group. (IITA Section 202) – Scope
- 100.2210 Net Operating Losses Occurring Prior to December 31, 1986, of Unitary Business Groups: Treatment by Members of the Unitary Business Group (IITA Section 202) – Definitions
- 100.2220 Net Operating Losses Occurring Prior to December 31, 1986, of Unitary Business Groups: Treatment by Members of the Unitary Business Group. (IITA Section 202) – Current Net Operating Losses: Offsets Between Members
- 100.2230 Net Operating Losses Occurring Prior to December 31, 1986, of Unitary Business Groups: Treatment by Members of the Unitary Business Group. (IITA Section 202) – Carrybacks and Carryforwards
- 100.2240 Net Operating Losses Occurring Prior to December 31, 1986, of Unitary Business Groups: Treatment by Members of the Unitary Business Group: (IITA Section 202) – Effect of Combined Net Operating Loss in Computing Illinois Base Income
- 100.2250 Net Operating Losses Occurring Prior to December 31, 1986, of Unitary Business Groups: Treatment by Members of the Unitary Business Group: (IITA Section 202) – Deadline for Filing Claims Based on Net Operating Losses Carried Back From a Combined Apportionment Year

SUBPART D: ILLINOIS NET LOSS DEDUCTIONS FOR LOSSES
OCCURRING ON OR AFTER DECEMBER 31, 1986

Section

- 100.2300 Illinois Net Loss Deduction for Losses Occurring On or After December 31, 1986 (IITA 207)
- 100.2310 Computation of the Illinois Net Loss Deduction for Losses Occurring On or After December 31, 1986 (IITA 207)
- 100.2320 Determination of the Amount of Illinois Net Loss for Losses Occurring On or After December 31, 1986
- 100.2330 Illinois Net Loss Carrybacks and Net Loss Carryovers for Losses Occurring On or After December 31, 1986
- 100.2340 Illinois Net Losses and Illinois Net Loss Deductions for Losses Occurring On or After December 31, 1986, of Corporations that are Members of a Unitary Business Group: Separate Unitary Versus Combined Unitary Returns

DEPARTMENT OF REVENUE

NOTICE OF ADOPTED AMENDMENT

- 100.2350 Illinois Net Losses and Illinois Net Loss Deductions, for Losses Occurring On or After December 31, 1986, of Corporations that are Members of a Unitary Business Group: Changes in Membership

SUBPART E: ADDITIONS TO AND SUBTRACTIONS FROM TAXABLE INCOME OF INDIVIDUALS, CORPORATIONS, TRUSTS AND ESTATES AND PARTNERSHIPS

Section

- 100.2405 Gross Income, Adjusted Gross Income, Taxable Income and Base Income Defined; Double Deductions Prohibited; Legislative Intention (IITA Section 203(e), (g) and (h))
- 100.2410 Net Operating Loss Carryovers for Individuals, and Capital Loss and Other Carryovers for All Taxpayers (IITA Section 203)
- 100.2430 Addition and Subtraction Modifications for Transactions with 80-20 and Noncombination Rule Companies
- 100.2435 Addition Modification for Student-Assistance Contribution Credit (IITA Sections 203(a)(2)(D-23), (b)(2)(E-16), (c)(2)(G-15), (d)(2)(D-10))
- 100.2450 IIT Refunds (IITA Section 203(a)(2)(H), (b)(2)(F), (c)(2)(J) and (d)(2)(F))
- 100.2455 Subtraction Modification: Federally Disallowed Deductions (IITA Sections 203(a)(2)(M), 203(b)(2)(I), 203(c)(2)(L) and 203(d)(2)(J))
- 100.2470 Subtraction of Amounts Exempt from Taxation by Virtue of Illinois Law, the Illinois or U.S. Constitutions, or by Reason of U.S. Treaties or Statutes (IITA Sections 203(a)(2)(N), 203(b)(2)(J), 203(c)(2)(K) and 203(d)(2)(G))
- 100.2480 Enterprise Zone Dividend Subtraction (IITA Sections 203(a)(2)(J), 203(b)(2)(K), 203(c)(2)(M) and 203(d)(2)(K))
- 100.2490 Foreign Trade Zone/High Impact Business Dividend Subtraction (IITA Sections 203(a)(2)(K), 203(b)(2)(L), 203(c)(2)(O), 203(d)(2)(M))

SUBPART F: BASE INCOME OF INDIVIDUALS

Section

- 100.2510 Subtraction for Contributions to Illinois Qualified Tuition Programs (Section 529 Plans) (IITA Section 203(a)(2)(Y))
- 100.2580 Medical Care Savings Accounts (IITA Sections 203(a)(2)(D-5), 203(a)(2)(S) and 203(a)(2)(T))
- 100.2590 Taxation of Certain Employees of Railroads, Motor Carriers, Air Carriers and Water Carriers

SUBPART G: BASE INCOME OF TRUSTS AND ESTATES

DEPARTMENT OF REVENUE

NOTICE OF ADOPTED AMENDMENT

Section

- 100.2655 Subtraction Modification for Enterprise Zone and River Edge Redevelopment Zone Interest (IITA Section 203(b)(2)(M))
- 100.2680 Capital Gain Income of Estates and Trusts Paid to or Permanently Set Aside for Charity (Repealed)

SUBPART I: GENERAL RULES OF ALLOCATION AND APPORTIONMENT OF BASE INCOME

Section

- 100.3000 Terms Used in Article 3 (IITA Section 301)
- 100.3010 Business and Nonbusiness Income (IITA Section 301)
- 100.3015 Business Income Election (IITA Section 1501)
- 100.3020 Resident (IITA Section 301)

SUBPART J: COMPENSATION

Section

- 100.3100 Compensation (IITA Section 302)
- 100.3110 State (IITA Section 302)
- 100.3120 Allocation of Compensation Paid to Nonresidents (IITA Section 302)

SUBPART K: NON-BUSINESS INCOME OF PERSONS OTHER THAN RESIDENTS

Section

- 100.3200 Taxability in Other State (IITA Section 303)
- 100.3210 Commercial Domicile (IITA Section 303)
- 100.3220 Allocation of Certain Items of Nonbusiness Income by Persons Other Than Residents (IITA Section 303)

SUBPART L: BUSINESS INCOME OF PERSONS OTHER THAN RESIDENTS

Section

- 100.3300 Allocation and Apportionment of Base Income (IITA Section 304)
- 100.3310 Business Income of Persons Other Than Residents (IITA Section 304) – In General
- 100.3320 Business Income of Persons Other Than Residents (IITA Section 304) – Apportionment (Repealed)

DEPARTMENT OF REVENUE

NOTICE OF ADOPTED AMENDMENT

- 100.3330 Business Income of Persons Other Than Residents (IITA Section 304) – Allocation
- 100.3340 Business Income of Persons Other Than Residents (IITA Section 304)
- 100.3350 Property Factor (IITA Section 304)
- 100.3360 Payroll Factor (IITA Section 304)
- 100.3370 Sales Factor (IITA Section 304)
- 100.3371 Sales Factor for Telecommunications Services
- 100.3373 Sales Factor for Publishing
- 100.3380 Special Rules (IITA Section 304)
- 100.3390 Petitions for Alternative Allocation or Apportionment (IITA Section 304(f))
- 100.3400 Apportionment of Business Income of Financial Organizations for Taxable Years Ending Prior to December 31, 2008 (IITA Section 304(c))
- 100.3405 Apportionment of Business Income of Financial Organizations for Taxable Years Ending on or after December 31, 2008 (IITA Section 304(c))
- 100.3420 Apportionment of Business Income of Insurance Companies (IITA Section 304(b))
- 100.3500 Allocation and Apportionment of Base Income by Nonresident Partners

SUBPART M: ACCOUNTING

Section

- 100.4500 Carryovers of Tax Attributes (IITA Section 405)

SUBPART N: TIME AND PLACE FOR FILING RETURNS

Section

- 100.5000 Time for Filing Returns: Individuals (IITA Section 505)
- 100.5010 Place for Filing Returns: All Taxpayers (IITA Section 505)
- 100.5020 Extensions of Time for Filing Returns: All Taxpayers (IITA Section 505)
- 100.5030 Taxpayer's Notification to the Department of Certain Federal Changes Arising in Federal Consolidated Return Years, and Arising in Certain Loss Carryback Years (IITA Section 506)
- 100.5040 Innocent Spouses
- 100.5050 Frivolous Returns
- 100.5060 Reportable Transactions
- 100.5070 List of Investors in Potentially Abusive Tax Shelters and Reportable Transactions
- 100.5080 Registration of Tax Shelters (IITA Section 1405.5)

SUBPART O: COMPOSITE RETURNS

DEPARTMENT OF REVENUE

NOTICE OF ADOPTED AMENDMENT

Section

100.5100	Composite Returns: Eligibility
100.5110	Composite Returns: Responsibilities of Authorized Agent
100.5120	Composite Returns: Individual Liability
100.5130	Composite Returns: Required forms and computation of Income
100.5140	Composite Returns: Estimated Payments
100.5150	Composite Returns: Tax, Penalties and Interest
100.5160	Composite Returns: Credits on Separate Returns
100.5170	Composite Returns: Definition of a "Lloyd's Plan of Operation"
100.5180	Composite Returns: Overpayments and Underpayments

SUBPART P: COMBINED RETURNS

Section

100.5200	Filing of Combined Returns
100.5201	Definitions and Miscellaneous Provisions Relating to Combined Returns
100.5205	Election to File a Combined Return
100.5210	Procedures for Elective and Mandatory Filing of Combined Returns
100.5215	Filing of Separate Unitary Returns
100.5220	Designated Agent for the Members
100.5230	Combined Estimated Tax Payments
100.5240	Claims for Credit of Overpayments
100.5250	Liability for Combined Tax, Penalty and Interest
100.5260	Combined Amended Returns
100.5265	Common Taxable Year
100.5270	Computation of Combined Net Income and Tax
100.5280	Combined Return Issues Related to Audits

SUBPART Q: REQUIREMENT AND AMOUNT OF WITHHOLDING

Section

100.7000	Requirement of Withholding (IITA Section 701)
100.7010	Compensation Paid in this State (IITA Section 701)
100.7020	Transacting Business Within this State (IITA Section 701)
100.7030	Payments to Residents (IITA Section 701)
100.7035	Nonresident Partners, Subchapter S Corporation Shareholders, and Trust Beneficiaries (IITA Section 709.5)
100.7040	Employer Registration (IITA Section 701)

DEPARTMENT OF REVENUE

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100.7050	Computation of Amount Withheld (IITA Section 702)
100.7060	Additional Withholding (IITA Section 701)
100.7070	Voluntary Withholding (IITA Section 701)
100.7080	Correction of Underwithholding or Overwithholding (IITA Section 701)
100.7090	Reciprocal Agreement (IITA Section 701)
100.7095	Cross References

SUBPART R: AMOUNT EXEMPT FROM WITHHOLDING

Section	
100.7100	Withholding Exemption (IITA Section 702)
100.7110	Withholding Exemption Certificate (IITA Section 702)
100.7120	Exempt Withholding Under Reciprocal Agreements (IITA Section 702)

SUBPART S: INFORMATION STATEMENT

Section	
100.7200	Reports for Employee (IITA Section 703)

SUBPART T: EMPLOYER'S RETURN AND PAYMENT OF TAX WITHHELD

Section	
100.7300	Returns and Payments of Income Tax Withheld from Wages (IITA Sections 704 and 704A)
100.7310	Returns Filed and Payments Made on Annual Basis (IITA Section 704)
100.7320	Time for Filing Returns and Making Payments for Taxes Required to Be Withheld Prior to January 1, 2008 (IITA Section 704)
100.7325	Time for Filing Returns and Making Payments for Taxes Required to Be Withheld On or After January 1, 2008 (IITA Section 704A)
100.7330	Payment of Tax Required to be Shown Due on a Return (IITA Sections 704 and 704A)
100.7340	Correction of Underwithholding or Overwithholding (IITA Section 704)
100.7350	Domestic Service Employment (IITA Sections 704 and 704A)
100.7360	Definitions and Special Provisions Relating to Reporting and Payment of Income Tax Withheld (IITA Sections 704 and 704A)
100.7370	Penalty and Interest Provisions Relating to Reporting and Payment of Income Tax Withheld (IITA Sections 704 and 704A)

SUBPART U: ESTIMATED TAX PAYMENTS

DEPARTMENT OF REVENUE

NOTICE OF ADOPTED AMENDMENT

Section

- 100.8000 Payment of Estimated Tax (IITA Section 803)
- 100.8010 Failure to Pay Estimated Tax (IITA Sections 804 and 806)

SUBPART V: COLLECTION AUTHORITY

Section

- 100.9000 General Income Tax Procedures (IITA Section 901)
- 100.9010 Collection Authority (IITA Section 901)
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100.9900	Tax Shelter Voluntary Compliance Program
100.APPENDIX A	Business Income Of Persons Other Than Residents
100.TABLE A	Example of Unitary Business Apportionment
100.TABLE B	Example of Unitary Business Apportionment for Groups Which Include Members Using Three-Factor and Single-Factor Formulas

AUTHORITY: Implementing the Illinois Income Tax Act [35 ILCS 5] and authorized by Section 1401 of the Illinois Income Tax Act [35 ILCS 5/1401].

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SOURCE: Filed July 14, 1971, effective July 24, 1971; amended at 2 Ill. Reg. 49, p. 84, effective November 29, 1978; amended at 5 Ill. Reg. 813, effective January 7, 1981; amended at 5 Ill. Reg. 4617, effective April 14, 1981; amended at 5 Ill. Reg. 4624, effective April 14, 1981; amended at 5 Ill. Reg. 5537, effective May 7, 1981; amended at 5 Ill. Reg. 5705, effective May 20, 1981; amended at 5 Ill. Reg. 5883, effective May 20, 1981; amended at 5 Ill. Reg. 6843, effective June 16, 1981; amended at 5 Ill. Reg. 13244, effective November 13, 1981; amended at 5 Ill. Reg. 13724, effective November 30, 1981; amended at 6 Ill. Reg. 579, effective December 29, 1981; amended at 6 Ill. Reg. 9701, effective July 26, 1982; amended at 7 Ill. Reg. 399, effective December 28, 1982; amended at 8 Ill. Reg. 6184, effective April 24, 1984; codified at 8 Ill. Reg. 19574; amended at 9 Ill. Reg. 16986, effective October 21, 1985; amended at 9 Ill. Reg. 685, effective December 31, 1985; amended at 10 Ill. Reg. 7913, effective April 28, 1986; amended at 10 Ill. Reg. 19512, effective November 3, 1986; amended at 10 Ill. Reg. 21941, effective December 15, 1986; amended at 11 Ill. Reg. 831, effective December 24, 1986; amended at 11 Ill. Reg. 2450, effective January 20, 1987; amended at 11 Ill. Reg. 12410, effective July 8, 1987; amended at 11 Ill. Reg. 17782, effective October 16, 1987; amended at 12 Ill. Reg. 4865, effective February 25, 1988; amended at 12 Ill. Reg. 6748, effective March 25, 1988; amended at 12 Ill. Reg. 11766, effective July 1, 1988; amended at 12 Ill. Reg. 14307, effective August 29, 1988; amended at 13 Ill. Reg. 8917, effective May 30, 1989; amended at 13 Ill. Reg. 10952, effective June 26, 1989; amended at 14 Ill. Reg. 4558, effective March 8, 1990; amended at 14 Ill. Reg. 6810, effective April 19, 1990; amended at 14 Ill. Reg. 10082, effective June 7, 1990; amended at 14 Ill. Reg. 16012, effective September 17, 1990; emergency amendment at 17 Ill. Reg. 473, effective December 22, 1992, for a maximum of 150 days; amended at 17 Ill. Reg. 8869, effective June 2, 1993; amended at 17 Ill. Reg. 13776, effective August 9, 1993; recodified at 17 Ill. Reg. 14189; amended at 17 Ill. Reg. 19632, effective November 1, 1993; amended at 17 Ill. Reg. 19966, effective November 9, 1993; amended at 18 Ill. Reg. 1510, effective January 13, 1994; amended at 18 Ill. Reg. 2494, effective January 28, 1994; amended at 18 Ill. Reg. 7768, effective May 4, 1994; amended at 19 Ill. Reg. 1839, effective February 6, 1995; amended at 19 Ill. Reg. 5824, effective March 31, 1995; emergency amendment at 20 Ill. Reg. 1616, effective January 9, 1996, for a maximum of 150 days; amended at 20 Ill. Reg. 6981, effective May 7, 1996; amended at 20 Ill. Reg. 10706, effective July 29, 1996; amended at 20 Ill. Reg. 13365, effective September 27, 1996; amended at 20 Ill. Reg. 14617, effective October 29, 1996; amended at 21 Ill. Reg. 958, effective January 6, 1997; emergency amendment at 21 Ill. Reg. 2969, effective February 24, 1997, for a maximum of 150 days; emergency expired July 24, 1997; amended at 22 Ill. Reg. 2234, effective January 9, 1998; amended at 22 Ill. Reg. 19033, effective October 1, 1998; amended at 22 Ill. Reg. 21623, effective December 15, 1998; amended at 23 Ill. Reg. 3808, effective March 11, 1999; amended at 24 Ill. Reg. 10593, effective July 7, 2000; amended at 24 Ill. Reg. 12068, effective July 26, 2000; emergency amendment at 24 Ill. Reg. 17585, effective November 17, 2000, for a

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maximum of 150 days; amended at 24 Ill. Reg. 18731, effective December 11, 2000; amended at 25 Ill. Reg. 4640, effective March 15, 2001; amended at 25 Ill. Reg. 4929, effective March 23, 2001; amended at 25 Ill. Reg. 5374, effective April 2, 2001; amended at 25 Ill. Reg. 6687, effective May 9, 2001; amended at 25 Ill. Reg. 7250, effective May 25, 2001; amended at 25 Ill. Reg. 8333, effective June 22, 2001; amended at 26 Ill. Reg. 192, effective December 20, 2001; amended at 26 Ill. Reg. 1274, effective January 15, 2002; amended at 26 Ill. Reg. 9854, effective June 20, 2002; amended at 26 Ill. Reg. 13237, effective August 23, 2002; amended at 26 Ill. Reg. 15304, effective October 9, 2002; amended at 26 Ill. Reg. 17250, effective November 18, 2002; amended at 27 Ill. Reg. 13536, effective July 28, 2003; amended at 27 Ill. Reg. 18225, effective November 17, 2003; emergency amendment at 27 Ill. Reg. 18464, effective November 20, 2003, for a maximum of 150 days; emergency expired April 17, 2004; amended at 28 Ill. Reg. 1378, effective January 12, 2004; amended at 28 Ill. Reg. 5694, effective March 17, 2004; amended at 28 Ill. Reg. 7125, effective April 29, 2004; amended at 28 Ill. Reg. 8881, effective June 11, 2004; emergency amendment at 28 Ill. Reg. 14271, effective October 18, 2004, for a maximum of 150 days; amended at 28 Ill. Reg. 14868, effective October 26, 2004; emergency amendment at 28 Ill. Reg. 15858, effective November 29, 2004, for a maximum of 150 days; amended at 29 Ill. Reg. 2420, effective January 28, 2005; amended at 29 Ill. Reg. 6986, effective April 26, 2005; amended at 29 Ill. Reg. 13211, effective August 15, 2005; amended at 29 Ill. Reg. 20516, effective December 2, 2005; amended at 30 Ill. Reg. 6389, effective March 30, 2006; amended at 30 Ill. Reg. 10473, effective May 23, 2006; amended by 30 Ill. Reg. 13890, effective August 1, 2006; amended at 30 Ill. Reg. 18739, effective November 20, 2006; amended at 31 Ill. Reg. 16240, effective November 26, 2007; amended at 32 Ill. Reg. 872, effective January 7, 2008; amended at 32 Ill. Reg. 1407, effective January 17, 2008; amended at 32 Ill. Reg. 3400, effective February 25, 2008; amended at 32 Ill. Reg. 6055, effective March 25, 2008; amended at 32 Ill. Reg. 10170, effective June 30, 2008; amended at 32 Ill. Reg. 13223, effective July 24, 2008; amended at 32 Ill. Reg. 17492, effective October 24, 2008; amended at 33 Ill. Reg. 1195, effective December 31, 2008; amended at 33 Ill. Reg. 2306, effective January 23, 2009; amended at 33 Ill. Reg. 14168, effective September 28, 2009; amended at 33 Ill. Reg. 15044, effective October 26, 2009; amended at 34 Ill. Reg. 550, effective December 22, 2009; amended at 34 Ill. Reg. 3886, effective March 12, 2010; amended at 34 Ill. Reg. 12891, effective August 19, 2010; amended at 35 Ill. Reg. 4223, effective February 25, 2011; amended at 35 Ill. Reg. 15092, effective August 24, 2011; amended at 36 Ill. Reg. 2363, effective January 25, 2012; amended at 36 Ill. Reg. 9247, effective June 5, 2012; amended at 37 Ill. Reg. 5823, effective April 19, 2013; amended at 37 Ill. Reg. 20751, effective December 13, 2013.

SUBPART E: ADDITIONS TO AND SUBTRACTIONS FROM TAXABLE INCOME OF
INDIVIDUALS, CORPORATIONS, TRUSTS AND ESTATES AND PARTNERSHIPS

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Section 100.2470 Subtraction of Amounts Exempt from Taxation by Virtue of Illinois Law, the Illinois or U.S. Constitutions, or by Reason of U.S. Treaties or Statutes (IITA Sections 203(a)(2)(N), 203(b)(2)(J), 203(c)(2)(K) and 203(d)(2)(G))

- a) In calculating base income, taxpayers are entitled to subtract *an amount equal to all amounts included in such total which are exempt from taxation by this State either by reason of its statutes or Constitution or by reason of the Constitution, treaties or statutes of the United States; provided that, in the case of any statute of this State that exempts income derived from bonds or other obligations from the tax imposed under this Act, the amount exempted shall be the interest net of bond premium amortization* (IITA 203(a)(2)(N)). There are also provisions of Illinois law that exempt the income of certain obligations of state and local governments from Illinois income taxation (see subsection (f)).
- b) Interest on obligations of the United States. A federal statute exempts stocks and obligations of the United States Government, as well as the interest on the ~~obligations~~obligation(s), from state income taxation (see 31 ~~USC~~USCA 3124(a)).
- 1) "Obligations of the United States" are those obligations issued "to secure credit to carry on the necessary functions of government." *Smith v. Davis* (1944) 323 U.S. 111, 119, 89 L. Ed. 107, 113, 65 S. Ct. 157, 161. The exemption is aimed at protecting the "Borrowing" and "Supremacy" clauses of the Constitution. *Society for Savings v. Bowers* (1955) 349 U.S. 143, 144, 99 L. Ed. 2d 950, 955, 75 S. Ct. 607, 608. *Hibernia v. City and County of San Francisco* (1906) 200 U.S. 310, 313, 50 L. Ed. 495, 496, 26 S. Ct. 265, 266.
- A) Tax-exempt credit instruments possess the following characteristics:
- i) they are written documents;₅
- ii) they bear interest;₅
- iii) they are binding promises by the United States to pay specified sums at specified dates;₅ ~~and~~

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- iv) they have congressional authorization which also pledges the faith and credit of the United States in support of the promise to pay. *Smith v. Davis, supra.*
- B) A governmental obligation that is secondary, indirect, or contingent, such as a guaranty of a nongovernmental obligor's primary obligation to pay the principal amount of and interest on a note, is not an obligation of the type exempted under 31 USC Section 3124(a). *Rockford Life Ins. Co. v. Department of Revenue, 107 S. Ct. 2312 (1987).*
- 2) Based on the above, the following types of income are exempt under 31 USCUSCA Section 3124(a):
 - A) Interest on U.S. Treasury bonds, notes, bills, certificates, and savings bonds.
 - B) Income from GSA Public Building Trust Participation Certificates: First Series, Series A through E; Second Series, Series F; Third Series, Series G; Fourth Series H and I.
- c) Income exempted by reason of other federal statutes. Federal statutes provide exemption from state income taxation with respect to various specifically named types of income. Following is a list (intended to be exhaustive) of exempt income and the specific statutes to which each item relates:
 - 1) Banks for Cooperatives – Income from notes, debentures, and other obligations issued by Banks for Cooperatives (12 USCUSCA 2134).
 - 2) Commodity Credit Corporation – Interest derived from bonds, notes, debentures, and other similar obligations issued by Commodity Credit Corporation (15 USCUSCA 713a-5).
 - 3) Farm Credit System Financial Assistance Corporation (Financial Assistance Corporation) – Income from notes, bonds, debentures, and other obligations issued by the Financial Assistance Corporation (12 USCUSCA 2278b-10(b)).

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- 4) Federal Deposit Insurance Corporation – Interest derived from notes, debentures, bonds, or other such obligations issued by Federal Deposit Insurance Corporation (12 [USCUSCA](#) 1825).
- 5) Federal Farm Credit Banks – Income from consolidated system-wide notes, bonds, debentures, and other obligations issued jointly and severally under 12 [USCUSCA](#) 2153 by Banks of the Federal Farm Credit System (12 [USCUSCA](#) 2023; 12 [USCUSCA](#) 207; 12 [USCUSCA](#) 2098; and 12 [USCUSCA](#) 2134).
- 6) Federal Home Loan Banks – Interest derived from notes, debentures, bonds, and other such obligations issued by Federal Home Loan Banks and from consolidated Federal Home Loan bonds and debentures (12 [USCUSCA](#) 1433).
- 7) Federal Intermediate Credit Banks – Income from notes, debentures, bonds, and other obligations issued by Federal Intermediate Credit Banks (12 [USCUSCA](#) 2079).
- 8) Federal Land Banks and Federal Land Bank Association – Income from notes, debentures, bonds, and other obligations issued by Federal Land Banks and Federal Land Bank Associations (12 [USCUSCA](#) 2055).
- 9) Federal Savings and Loan Insurance Corporation – Interest derived from notes, bonds, debentures, and other such obligations issued by Federal Savings and Loan Insurance Corporation (12 [USCUSCA](#) 1725(e)).
- 10) Financing Corporation (FICO) – Income from obligations issued by the Financing Corporation (12 [USCUSCA](#) 1441(e)(8)).
- 11) General Insurance Fund
 - A) Interest derived from debentures issued by General Insurance Fund under the War Housing Insurance Law (12 [USCUSCA](#) 1739(d)); or
 - B) Interest derived from debentures issued by General Insurance Fund to acquire rental housing projects (12 [USCUSCA](#) 1747g(g)); or

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- C) Interest derived from Armed Services Housing Mortgage Insurance Debentures issued by the General Insurance Fund (12 [USCUSCA](#) Section 1748b(f)).
- 12) Guam – Interest derived from bonds issued by the government of Guam (48 [USCUSCA](#) 1423a). This income is not presently included in federal taxable income. Under Illinois law, it must be added back to federal taxable income and then claimed as a subtraction on an Illinois income tax return.
- 13) Mutual Mortgage Insurance Fund – Income from such debentures as are issued in exchange for property covered by mortgages insured after February 3, 1988 (12 [USCUSCA](#) 1710(d)). This income is not presently included in federal taxable income. Under Illinois law, it must be added back to federal taxable income and then claimed as a subtraction on an Illinois income tax return.
- 14) National Credit Union Administration Central Liquidity Facility – Income from the notes, bonds, debentures, and other obligations issued on behalf of the Central Liquidity Facility (12 [USCUSCA](#) 1795K(b)).
- 15) Production Credit Association – Income from notes, debentures, and other obligations issued by Production Credit Association (12 [USCUSCA](#) 2098).
- 16) Puerto Rico – Interest derived from bonds issued by the Government of Puerto Rico (48 [USCUSCA](#) 745). This income is not presently included in federal taxable income. Under Illinois law, it must be added back to federal taxable income and then claimed as a subtraction on an Illinois income tax return.
- 17) Railroad Retirement Act – Annuity and supplemental annuity payments as qualified under the Railroad Retirement Act of 1974 (45 [USCUSCA](#) 231m). Please be sure to use the line specified on your Illinois return for this item.
- 18) Railroad Unemployment Insurance Act – Unemployment benefits paid pursuant to the Railroad Unemployment Insurance Act (45 [USCUSCA](#) 352(e)).

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- 19) Resolution Funding Corporation – Interest from obligations issued by the Resolution Funding Corporation (12 [USCUSCA](#) 1441b(f)(7)(A)).
 - 20) Special Food Service Program – Assistance to children under the Special Food Service Program (42 [USCUSCA](#) 1760(e)).
 - 21) Student Loan Marketing Association – Interest derived from obligations issued by the Student Loan Marketing Association (20 [USCUSCA](#) 1087-2(h)(221)).
 - 22) Tennessee Valley Authority – Interest derived from bonds issued by the Tennessee Valley Authority (16 [USCUSCA](#) 831n-4(d)).
 - 23) United States Postal Service – Interest derived from obligations issued by the United States Postal Service (39 [USCUSCA](#) 2005(d)(4)).
 - 24) Virgin Islands – Interest derived from bonds issued by the Government of the Virgin Islands (48 [USCUSCA](#) 1574(b)(ii)(A)). This income is not presently included in income taxable federally. Under Illinois law, it must be added back to federal taxable income and then claimed as a subtraction on an Illinois income tax return.
 - 25) American Samoa – Interest on bonds issued by the Government of American Samoa (48 [USCUSCA](#) 1670(b)).
 - 26) Northern Mariana Islands – Interest on bonds issued by the Government of the Northern Mariana Islands (48 [USCUSCA](#) 1801 note).
- d) Distributions from money market trusts (mutual funds). Taxpayers may subtract income received from any of the obligations listed in subsections (b) and (c), even if the obligations are owned indirectly through owning shares in a mutual fund.
- 1) If the fund invests exclusively in these state tax exempt obligations, the entire amount of the distribution (income) from the fund may be subtracted.

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- 2) If the fund invests in both exempt and non-exempt obligations, the amount represented by the percentage of the distribution that the mutual fund identifies as exempt may be subtracted.
 - 3) If the mutual fund does not identify an exempt amount or percentage, taxpayers may figure the subtraction by multiplying the distribution by the following fraction: as the numerator, the amount invested by the fund in state-exempt U.S. obligations; as the denominator, the fund's total investment. Use the year-end amounts to figure the fraction if the percentage ratio has remained constant throughout the year. If the percentage ratio has not remained constant, take the average of the ratios from the fund's quarterly financial reports.
- e) Getting a refund of tax you already paid. If you paid Illinois income tax on these state tax exempt distributions, you may file an amended return (IL-1040-X) to claim a refund for any year still within the statute of limitations.
- f) Interest on obligations of state and local governments. Income from state and local obligations is not exempt from Illinois income tax except where authorizing legislation adopted after August 1, 1969, specifically provides for an exemption. To date, authorizing legislation provides exemption for the income from the securities listed below. Taxpayers must show income from these exempt bonds as an addition and then as a subtraction on the Illinois income tax return. Income from these bonds is not exempt if the bonds are owned indirectly through owning shares in a mutual fund.
- 1) Notes and bonds issued by the Illinois Housing Development Authority (except housing-related commercial facilities notes and bonds) [20 ILCS 3805/31].
 - 2) Bonds authorized pursuant to the Export Development Act of 1983 (former Ill. Rev. Stat. 1991, ch. 127, par. 2513, repealed by P.A. 87-860, effective July 1, 1992).
 - 3) Bonds issued by the Illinois Development Finance Authority pursuant to Sections 7.50 through 7.61 (venture fund and infrastructure bonds) [20 ILCS 3505/7.61], (repealed by P.A. 93-205, effective January 1, 2004, which provides in 20 ILCS 3501/845-60 that bonds issued under this provision continue to be exempt from taxation)].

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- 4) Bonds and notes issued by the Quad Cities Regional Economic Development Authority, if the Authority so determines [70 ILCS 510/11 ~~and 510/13~~ and 70 ILCS 515/11; and ~~515/12~~].
- 5) College Savings Bonds issued under the General Obligation Bond Act in accordance with the Baccalaureate Savings Act [110 ILCS 920/7].
- 6) Bonds issued by the Illinois Sports Facilities Authority [70 ILCS 3205/15].
- 7) Bonds issued on or after September 2, 1988, pursuant to the Higher Education Student Assistance Act [110 ILCS 947/145] (transferred from 105 ILCS 5/30-15.18 by P.A. 87-997).
- 8) Bonds issued by the Illinois Development Finance Authority or the Illinois Finance Authority under the Asbestos Abatement Finance Act [20 ILCS 3510/8].
- 9) Bonds and notes issued under the Rural Bond Bank Act [30 ILCS 360/3-12]; ~~(repealed by P.A. 93-205, effective January 1, 2004, which provides in 20 ILCS 3501/845-60 that bonds issued under this provision continue to be exempt from taxation)~~.
- 10) Bonds issued pursuant to Sections 7.80 ~~through~~ 7.87 of the Illinois Development Finance Authority Act [20 ILCS 3505/7-86]; ~~(repealed by P.A. 93-205, effective January 1, 2004, which provides in 20 ILCS 3501/845-60 that bonds issued under this provision continue to be exempt from taxation)~~.
- 11) Bonds issued by the Quad Cities Interstate Metropolitan Authority under the Quad Cities Interstate Metropolitan Authority Act [45 ILCS 35/110].
- 12) Bonds issued by the Southwestern Illinois Development Authority pursuant to the Southwestern Illinois Development Authority Act [70 ILCS 520/7.5].

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- 13) Bonds issued by the Illinois Finance Authority under the Local Government Article and the Financially Distressed City Program in the Illinois Finance Authority Act [20 ILCS 3501/820-60 and 825-55].
- 14) Illinois Power Agency bonds issued by the Illinois Finance Authority under the Other Powers Article of the Illinois Finance Authority Act [20 ILCS 3501/825-90], if the Authority so determines.
- 15) Bonds issued by the Central Illinois Economic Development Authority under the Central Illinois Economic Development Authority Act [70 ILCS 506/40], if the Authority so determines.
- 16) Bonds issued by the Eastern Illinois Economic Development Authority under the Eastern Illinois Economic Development Authority Act [70 ILCS 506/40], if the Authority so determines.
- 17) Bonds issued by the Southeastern Illinois Economic Development Authority under the Southeastern Illinois Economic Development Authority Act [70 ILCS 518/40], if the Authority so determines.
- 18) Bonds issued by the Southern Illinois Economic Development Authority under the Southern Illinois Economic Development Authority Act [70 ILCS 519/5-45], if the Authority so determines.
- 19) Bonds issued by the Upper Illinois River Valley Development Authority under the Upper Illinois River Valley Development Authority Act [70 ILCS 530/7.1], if the Authority so determines.
- 20) Bonds issued by the Illinois Urban Development Authority under the Illinois Urban Development Authority Act [70 ILCS 531/11], if the Authority so determines.
- 21) Bonds issued by the Western Illinois Economic Development Authority under the Western Illinois Economic Development Authority Act [70 ILCS 532/45], if the Authority so determines.
- 22) Bonds issued by the Downstate Illinois Sports Facilities Authority under the Downstate Illinois Sports Facilities Authority Act [70 ILCS 3210/60], if the Authority so determines.

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23) Bonds issued by the Will-Kankakee Regional Development Authority under the Will-Kankakee Regional Development Authority Law [70 ILCS 535/14], if the Authority so determines.

- g) Other income exempt from Illinois income taxation by reason of Illinois statute:
- 1) Income earned by certain trust accounts established under the Illinois Pre-Need Cemetery Sales Act [815 ILCS 390/16]. Section 16(f) of the Illinois Pre-Need Cemetery Sales Act provides that: *because it is not known at the time of deposit or at the time that income is earned on the trust account to whom the principal and the accumulated earnings will be distributed, for purposes of determining the Illinois Income Tax due on these trust funds, the principal and any accrued earnings or losses relating to each individual account shall be held in suspense until the final determination is made as to whom the account shall be paid.*
 - 2) Income in the form of education loan repayments made for primary care physicians who agree to practice in designated shortage areas for a specified period of time under the terms of the Family Practice Residency Act [110 ILCS 935/4.10].
 - 3) Income earned by nuclear decommissioning trusts established pursuant to Section 8-508.1 of the Public Utilities Act [220 ILCS 5/8-508.1]. The terms "*Decommissioning trust*" or "*trust*" means a fiduciary account in a bank or other financial institution established to hold the decommissioning funds provided pursuant to Section 8-508.1(b)(2) of the Public Utilities Act for the eventual purpose of paying decommissioning costs, which shall be separate from all other accounts and assets of the public utility establishing the trust. [220 ILCS 5/8-508.1(a)(3)]
 - 4) Income from the Illinois prepaid tuition program, other than disbursements to beneficiaries which are not used in accordance with the applicable prepaid tuition contract under the Illinois Prepaid Tuition Act [110 ILCS 979]. The Illinois prepaid tuition program was created in 1997 for the express purpose of allowing savings for higher education to earn tax-exempt returns under ~~section~~Section 529 of the Internal Revenue Code. If a prepaid tuition contract qualifies under ~~section~~Section 529, earnings on contributions made to the Illinois Prepaid Tuition Trust Fund under the

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contract are exempt from federal income taxation (and therefore Illinois income taxation) until distributed. The legislative intent in creating the Illinois prepaid tuition program does not guarantee that every prepaid tuition contract will qualify under ~~section~~Section 529 and there is no guarantee that ~~section~~Section 529 will continue in effect. However, Section 55 of the Illinois Prepaid Tuition Act [110 ILCS 979/55] provides that *assets of the Illinois Prepaid Tuition Trust Fund and its income and operation shall be exempt from all taxation by the State and that disbursements to a beneficiary shall be similarly exempt from all taxation by the State of Illinois and any of its subdivisions, so long as they are used for educational purposes in accordance with the provisions of an Illinois prepaid tuition contract.* Under this provision, any undistributed earnings of the Illinois Prepaid Tuition Trust which are included in a taxpayer's federal taxable income or adjusted gross income because a prepaid tuition contract does not qualify under ~~section~~Section 529 may be subtracted in computing the taxpayer's base income, and all disbursements included in a beneficiary's adjusted gross income may be subtracted to the extent used in accordance with the Illinois prepaid tuition contract under which the disbursements are made, regardless of whether the prepaid tuition contract qualifies under ~~section~~Section 529.

- 5) Income from the College Savings Pool, other than disbursements to beneficiaries that are not used to pay qualified expenses under the State Treasurer Act [15 ILCS 505/16.5]. Under the State Treasurer Act, distributions from the College Savings Pool must generally be used for *qualified expenses*, which are defined to mean *tuition, fees, and the costs of books, supplies, and equipment required for enrollment or attendance at an eligible educational institution and certain room and board expenses.* Distributions made for qualified expenses must be made *directly to the eligible educational institution, directly to a vendor, or in the form of a check payable to both the beneficiary and the institution or vendor.* The College Savings Pool was created in ~~PA~~Public Act 91-607 for the express purpose of allowing savings for higher education to earn tax-exempt returns under ~~section~~Section 529 of the Internal Revenue Code. If an investment in the College Savings Pool qualifies under ~~section~~Section 529, earnings on that investment are exempt from federal income taxation (and therefore Illinois income taxation) until distributed. The legislative intent in creating the College Savings Pool does not guarantee that investments will qualify under ~~section~~Section 529 and there

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is no guarantee that Section 529 will continue in effect. However, the State Treasurer Act [15 ILCS 505/16.5], as amended in ~~PA~~Public Act 91-829, provides that *assets of the College Savings Pool and its income and operation shall be exempt from all taxation by the State and that disbursements to a beneficiary shall be similarly exempt from all taxation by the State of Illinois and any of its subdivisions, so long as they are used for qualified expenses.* Under this provision, any undistributed earnings of the College Savings Pool that are included in a taxpayer's federal taxable income or adjusted gross income because a College Savings Pool investment does not qualify under ~~section~~Section 529 may be subtracted in computing the taxpayer's base income, and all disbursements included in a beneficiary's adjusted gross income may be subtracted to the extent used to pay qualified expenses, regardless of whether the College Savings Pool investment qualifies under ~~section~~Section 529.

- 6) Income earned on investments made pursuant to the Home Ownership Made Easy Program [310 ILCS 55/5.1].
- 7) Up to \$2,000 of income derived by individuals from investments made in accordance with College Savings Programs established under [Section 75 of the Higher Education Student Assistance Act \[110 ILCS 947/75\]](#). ~~This subtraction is allowed only for taxable years ending prior to August 9, 2013, the effective date of PA 98-0251, which repealed Section 75 of the Higher Education Student Assistance Act-former Section 30-15.8(a) [105 ILCS 5/30-15.8(a)] (see subsection (f)(7)).~~
- h) Income not exempt from Illinois income taxation. The following types of income are not exempt from Illinois income taxation:
 - 1) Income from securities commonly known as GNMA "Pass-Through Securities" and also known as GNMA "Mortgage-Backed Securities" issued by approved issuers under 12 ~~USC~~USCA 1721(g) and guaranteed by GNMA under 12 USCA 1721(g) (Rockford Life Insurance Co. v. Department of Revenue, 112 Ill.2d 174, 492 N.E. 2d 1278 (1986), reh. den. June 2, 1986) and income from debentures, notes, and bonds issued by the Federal National Mortgage Association including mortgage-backed bonds issued under authority of 12 USCA 1719(d) and guaranteed by GNMA under 12 ~~USC~~USCA 1721(g).

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- 2) Accumulated interest on Internal Revenue Service tax refunds. Illinois Department of Revenue Letter Ruling No. 86-0640, dated July 11, 1986, citing *Glidden Co. v. Glander*, 151 Ohio St. 344, 86 N.E. 2d 1, 9 A.L.R. 2d 515 (1949).
- 3) Income from U.S. securities acquired by a taxpayer under a repurchase agreement ("repo") with a bank or similar financial organization. The Department takes the position that, for income tax purposes, such agreements are generally to be treated as loans. That is, the taxpayer "loans" money to the bank and receives interest in return. The securities subject to repurchase by the bank serve as collateral for the loan. The bank remains legally entitled to receive the interest payments from the issuing authority and remains the actual owner of the securities. Therefore, any tax benefit attributable to the "exempt" income paid by the issuing authority accrues to the bank and not to the investor.
- 4) Section 514(a) of the Employee Retirement Income Security Act of 1974 (ERISA, 29 USC 1144(a)) does not preempt the taxation of unrelated business income of an Employee Benefit Plan governed by ERISA. *Buono v. NYSA-ILA Medical and Clinical Services Fund*, 520 U.S. 806, 808 (1997). Taxpayers that relied upon the Department's letter rulings IT 90-0073, IT 93-0017 and IT 93-0187, prior to July 1, 2002, shall not incur liability for taxes or penalties pursuant to Section 4(c) of the Taxpayers' Bill of Rights Act [20 ILCS 2520].
 - i) Method for computing the subtraction of exempt income. The Department emphasizes that before a taxpayer may subtract an item of exempt income, the taxpayer must be sure that he or she has included the item in Illinois income. Some tax-exempt items are "automatically" included in base income because they are included in federal adjusted gross income, which is a part of base income. Interest on U.S. Treasury notes is in this category. Other exempt items must be included as an addition on the Illinois tax return in figuring base income. In other words, the taxpayer must list certain tax-exempt items as additions and then as subtractions in figuring base income. Interest on the state and local government bonds described in subsection (f) is in this category.

(Source: Amended at 37 Ill. Reg. 20751, effective December 13, 2013)

ILLINOIS STUDENT ASSISTANCE COMMISSION

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- 1) Heading of the Part: John R. Justice Student Loan Repayment Program
- 2) Code Citation: 23 Ill. Adm. Code 2754
- 3)

<u>Section Numbers:</u>	<u>Adopted Action:</u>
2754.15	Amend
2754.20	Amend
2754.30	Amend
- 4) Statutory Authority: Implementing Section 952 of the Higher Education Opportunity Act (42 USC 2797cc-21) and Section 20(b) of the Illinois Higher Education Student Assistance Act [110 ILCS 947] and authorized by Section 20(f) of that Act
- 5) Effective Date of Rule: January 1, 2014
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this rulemaking contain incorporations by reference? No
- 8) A copy of this adopted rule, including any material incorporated by reference, is on file in the Agency's principal office and is available for public inspection.
- 9) Notice of Proposal published in the *Illinois Register*: July 19, 2013, Issue 29, 37 Ill. Reg. 11272
- 10) Has JCAR issued a Statement of Objection to this rulemaking? No
- 11) Differences between Proposed and Final Version: The following technical change was made during the Second Notice period in Section 2754.20(f). The proposed text "required to enter into a Service Agreement wherein the applicant promises to remain employed as a public defender or prosecutor for a length of time identified by the Bureau of Justice Assistance in exchange for loan repayment assistance" was modified and the adopted text "required to enter into a Service Agreement in which the applicant, in exchange for loan repayment assistance, promises to remain employed as a public defender or prosecutor for an initial three-year term of service or any further term of service identified in a subsequent Service Agreement" is final.
- 12) Have all the changes agreed upon by the Agency and JCAR been made as indicated in the agreement letter issued by JCAR? No agreement letter was necessary.

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- 13) Will this rulemaking replace any emergency rule currently in effect? No
- 14) Are there any other proposed rulemakings pending on this Part? No
- 15) Summary and Purpose of Rulemaking: The Illinois Student Assistance Commission (ISAC) administers the John R. Justice Student Loan Repayment Program in accordance with rules and regulations of the United States Department of Justice through the Bureau of Justice Assistance. Recently published guidance from the Bureau of Justice Assistance describes changes to the application process for the program, which is intended to encourage qualified attorneys to choose careers as prosecutors and public defenders through loan repayment incentives. In turn, these changes require ISAC to amend its rules for administering the program.
- 16) Information and questions regarding this adopted rule shall be directed to:

Lynn Hynes, Agency Rules Coordinator
Illinois Student Assistance Commission
1755 Lake Cook Road
Deerfield IL 60015

847/948-8500 ext. 2305
fax: 847/831-8299
email: lynn.hynes@isac.illinois.gov

The full text of the Adopted Amendments begins on the following page:

ILLINOIS STUDENT ASSISTANCE COMMISSION

NOTICE OF ADOPTED AMENDMENTS

TITLE 23: EDUCATION AND CULTURAL RESOURCES
SUBTITLE A: EDUCATION
CHAPTER XIX: ILLINOIS STUDENT ASSISTANCE COMMISSION

PART 2754

JOHN R. JUSTICE STUDENT LOAN REPAYMENT PROGRAM

Section

2754.10	Summary and Purpose
2754.15	Definitions
2754.20	Applicant Eligibility
2754.30	Program Procedures

AUTHORITY: Implementing Section 952 of the Higher Education Opportunity Act (42 USC 3797cc-21) and Section 20(b) of the Illinois Higher Education Student Assistance Act [110 ILCS 947] and authorized by Section 20(f) of that Act.

SOURCE: Emergency rules adopted at 36 Ill. Reg. 556, effective January 9, 2012, for a maximum of 150 days; adopted at 36 Ill. Reg. 8434, effective June 1, 2012; amended at 37 Ill. Reg. 20776, effective January 1, 2014.

Section 2754.15 Definitions

"Eligible educational loans" – Federal student loans originated under the following programs:

Federal Stafford Loans;

Federal Graduate PLUS Loans;

Federal consolidation loan programs, including Federal Direct Consolidation Loans; and

Federal Perkins Loans.

"Non-eligible loans" – All private or nonfederal student loans and any loans originated under the following programs or conditions:

Federal Parent PLUS Loans;

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Federal Direct PLUS Loans made to the parents of a dependent student;
and

Any federal consolidation loan to the extent that loan was used to repay a
Federal Parent PLUS or a Federal Direct PLUS Loan.

"Prosecutor" – A full-time employee of the State of Illinois or unit of local government within the State who is continually licensed to practice law and prosecutes criminal or juvenile delinquency cases at the State or local government level (including supervision, education, or training of other persons prosecuting such cases). (See 42 USC 3797cc-21(b)(1).)

"Public Defender" – An attorney who is continually licensed to practice law and is employed as any of the following:

a full-time employee of the State of Illinois or local government in Illinois who provides legal representation to indigent persons in criminal or juvenile delinquency cases (including supervision, education or training of other persons providing the representation);

a full-time employee of a nonprofit organization operating under a contract with the State of Illinois or local government in Illinois, who devotes substantially all of the employee's full-time employment to providing legal representation to indigent persons in criminal or juvenile delinquency cases (including supervision, education or training of other persons providing the representation); or

employed as a full-time Federal defender attorney in a defender organization established pursuant to 18 USC 3006A(g) and located in Illinois that provides legal representation to indigent persons in criminal or juvenile delinquency cases. (See 42 USC 3797cc-21(b)(2).)

"Service Agreement" – Any written agreement between the United States Department of Justice and a qualified applicant that requires the qualified applicant to complete a term of service as a public defender or prosecutor in order to receive loan repayment assistance through the John R. Justice Student Loan Repayment Program.

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(Source: Amended at 37 Ill. Reg. 20776, effective January 1, 2014)

Section 2754.20 Applicant Eligibility

A qualified applicant for loan repayment shall be:

- a) a United States citizen or eligible noncitizen;
- b) a licensed attorney in good standing with the Illinois bar;
- c) a borrower who is not in default on a federal guaranteed educational loan;
- d) a borrower with an outstanding balance due on an eligible educational loan;
- e) employed as a public defender or prosecutor; and
- f) required to enter into a Service Agreement in which the applicant, in exchange for loan repayment assistance, promises to remain employed as a public defender or prosecutor for an initial three-year term of service or any further term of service identified in a subsequent Service Agreement.~~term of service of three years pursuant to a John R. Justice Student Loan Repayment Program Service Agreement (Service Agreement) that is prepared by the United States Department of Justice and that must be entered into by each applicant prior to the commencement of any term of service.~~

(Source: Amended at 37 Ill. Reg. 20776, effective January 1, 2014)

Section 2754.30 Program Procedures

- a) In order to receive benefits under this Part, a qualified applicant must annually complete a program application and, at the time of application, execute the appropriate~~submit an executed~~ Service Agreement. A qualified applicant must also submit any forms required by the United States Department of Justice for participation in the John R. Justice Student Loan Repayment Program.~~Applicants who previously executed a Service Agreement but have not yet completed the required term of service described in the Service Agreement must complete a renewal application.~~

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- 1) Program applications, ~~renewal applications~~ and ~~the~~ Service ~~Agreements~~ Agreement are available at ISAC's website and ISAC's Springfield, Deerfield and Chicago offices.
 - 2) If the ~~application~~ applications or the Service Agreement ~~is~~ are incomplete, the applicant will be provided an opportunity to furnish any missing information. Applications will be considered for processing only as of the date a complete application and Service Agreement are received by ISAC in its Deerfield office. No applications will be considered for processing if received after the published date unless funds remain available for disbursement. ISAC reserves the right to request documentation to verify data reported on the application.
 - 3) The application will require the applicant's employer (or future employer in the case of recruited attorneys) to certify the following:
 - A) The employer is an eligible employing entity under the John R. Justice Prosecutors and Defenders Incentive Act (42 USC 3797cc-21);
 - B) The applicant seeking benefits meets the definition of "prosecutor" or "public defender" under the Act; and
 - C) The employer employs or, in the case of a recruited attorney, has extended an offer of employment that has been accepted by the applicant.
- b) Each year, ISAC shall select individuals to receive repayment benefits from among individuals who have previously executed a Service Agreement with the Department of Justice but have not yet completed the required term of service described in the Service Agreement and all new applicants who have submitted a completed application and Service Agreement.
 - c) Individuals who have previously executed a Service Agreement with the Department of Justice but have not yet completed the required term of service shall be selected once all information necessary to compute the amount of an award under this Part has been received by ISAC.

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- d) Priority consideration in selecting individuals to receive benefits from among new applicants will be given to those applicants who have the least ability to repay their loans. Individuals not receiving benefits under another program that provides loan repayment assistance for eligible educational loans will be considered before those who are receiving those benefits.
- e) Any award of funds under this Part shall be made in accordance with the following:
 - 1) Individuals selected to receive benefits shall be assigned to one of the five districts of the Illinois Appellate Court on the basis of the zip code of the individual's employer or, for those individuals who are employed in a statewide capacity as a prosecutor, as a statewide prosecutor. Available benefits will be allocated to each district or to statewide prosecutors based on the ratio of the number of statewide prosecutors or prosecutors or public defenders within a district to the total population of prosecutors and public defenders in the state.
 - 2) The amount of the benefit awarded will be calculated based on each individual's ability to repay his or her qualifying loan debt. ISAC shall determine an individual's ability to repay qualifying loan debt using the individual's Adjusted Gross Income (AGI) from the IRS Form 1040 during the previous calendar year, calculated exemptions to federal income tax claimed by the individual during the previous calendar year, the amount of qualifying student loan debt owed by the individual, and the cost of living in the appellate district in which the individual's employer is located, as determined by the Cost of Living Index published annually by the Illinois Appellate Court.
 - 3) Priority consideration in awarding benefits will be given to individuals who have previously executed a Service Agreement with the Department of Justice but have not yet completed the required term of service, except that priority under this Section shall be limited to individuals who have not previously completed a term of service under a Service Agreement with the Department of Justice. Awards shall then be made in accordance with this Section to new applicants.

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- 4) Once all the money allocated for a particular district or to individuals qualifying as statewide prosecutors has been exhausted, the awarding for that district or to statewide prosecutors will cease.
- 5) In the event that an insufficient number of individuals from a particular district apply for the program, the remaining dollars in that district's allocation would be awarded to the highest-ranked applicants who have not received an award, regardless of which district they are from.
- 6) The total amount of funds allocated to prosecutors, regardless of the district to which they are assigned or their status as a statewide prosecutor, must equal the total amount of funds allocated to defenders, regardless of the district to which they are assigned.
- f) The amount of an award shall not exceed \$10,000 per year, up to a maximum of \$60,000 during an individual's career. The annual amount may be reduced in order to make more loan repayment assistance awards when funding is insufficient to provide benefits to all selected individuals.
- g) The loan proceeds shall be remitted to the holder of the loans to be repaid.
- h) While receiving benefits, an individual must notify ISAC of changes to his or her address, employment status or loan status (default) within 10 days after a change.
- i) While receiving benefits, the individual must remain a licensed attorney in good standing with the Illinois bar.

(Source: Amended at 37 Ill. Reg. 20776, effective January 1, 2014)

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- 1) Heading of the Part: Lobbyist Registration and Reports
- 2) Code Citation: 2 Ill. Adm. Code 560
- 3)

<u>Section Numbers:</u>	<u>Emergency Action:</u>
560.100	Amendment
560.310	Amendment
- 4) Statutory Authority: Implementing and authorized by the Lobbyist Registration Act [25 ILCS 170]
- 5) Effective Date of Rule: December 16, 2013
- 6) If this emergency rule is to expire before the end of the 150-day period, please specify the date on which it is to expire: This emergency rule will expire at the end of the 150-day period or upon adoption of the permanent rule, whichever comes first.
- 7) Date Filed with the Index Department: December 16, 2013
- 8) A copy of the emergency rulemaking, including any material incorporated by reference, is on file in the Department's Springfield office and is available for public inspection.
- 9) Reason for Emergency: This emergency rule is being filed to comply with an amendment to the Lobbyist Registration Act [25 ILCS 170] which will become effective January 1, 2014. IT programming changes needed to comply with the amendment are in progress but not yet complete. The Secretary wishes to have rules in place to comply with the amendment upon its effective date.
- 10) Complete Description of the Subjects and Issues Involved: The proposed rule updates definitions and requirements to comply with amendments to the Lobbyist Registration Act effective January 1, 2014.
- 11) Are there any other proposed rulemakings pending on this Part? No
- 12) Statement of Statewide Policy Objectives: This does not create or expand an existing State mandate, nor does it require expenditures by units of local government.
- 13) Information and questions regarding this emergency rule shall be directed to:

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Michelle Nijm
Assistant General Counsel
100 W. Randolph, Ste. 5-400
Chicago, IL 60601

312/814-7246

The full text of the Emergency Amendments begins on the next page:

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NOTICE OF EMERGENCY AMENDMENTS

TITLE 2: GOVERNMENTAL ORGANIZATION
SUBTITLE C: CONSTITUTIONAL OFFICERS
CHAPTER III: SECRETARY OF STATE

PART 560
LOBBYIST REGISTRATION AND REPORTS

SUBPART A: DEFINITIONS

Section

560.100 Definitions

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560.105 Designated Officials

SUBPART B: LOBBYIST REGISTRATION

Section

560.200 Persons Required to Register

560.205 Designation and Duties of Authorized Agent

560.210 Persons Not Required to Register

560.220 Registration Requirements

560.225 Ethics Training

560.230 Failure to Register (Repealed)

SUBPART C: REPORTING REQUIREMENTS

Section

560.300 Persons Required to File Semi-monthly Reports

560.301 Affirmations

560.305 Time, Place and Manner for Filing Semi-monthly Reports

560.310 Categorizing Expenditures

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560.315 Allocating Expenditures

560.320 Large Gatherings and Giveaways

560.325 Reporting Expenditures by Participants in Grass Roots Lobbying Events

560.326 Registrant's Duties for Grass Roots Lobbying Events

560.330 Expenditures for Immediate Family Members of Officials

560.340 Travel and Lodging Accommodations for Officials

560.345 Members of Legislative or State Study Committees

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560.350	Personal and Office Expenses
560.355	Registrant's Duties for Grass Roots Lobbying Events (Repealed)
560.360	Salaries, Fees and Compensation
560.365	Contributions Reported Under the Election Code
560.370	Returned Expenditures/Reimbursement by Official
560.371	Lobbyist Notifications to Officials
560.372	Official's Clarification Notice
560.375	Reports in the Absence of Reportable Expenditures
560.380	Amending Reports
560.385	Termination of Lobbying Activities
560.390	Failure to File Registration Statements and Semi-monthly Reports
560.395	Preservation of Records

SUBPART D: PUBLIC DISCLOSURE

Section

560.400	Requests for Reports
560.402	Location and Business Hours
560.405	Official Forms
560.410	List of Officials
560.420	Fees
560.430	Enforcement

560.APPENDIX A Lobbyist Registration Statements

560.ILLUSTRATION A	Form R1: Lobbyist Registration Statement – For Individual/Firm/Partnership/Committee/ Association/Corporation or any Other Organization Employing a Lobbyist on Their Own Behalf (Repealed)
560.ILLUSTRATION B	Form R2: Lobbyist Registration Statement – For Individual/Firm/Partnership/Committee/Association/Corporation or any Other Organization Who Performs Lobbying Services on Behalf of Another (Repealed)
560.ILLUSTRATION C	Attachment R1/R2: Lobbyist Registration Attachment – For Individual Lobbyist (Repealed)
560.ILLUSTRATION D	Form R3: Lobbyist Registration Attachment – For Addition or Deletion of Affiliated Lobbyists (Repealed)
560.ILLUSTRATION E	Form R4: Lobbyist Registration Attachment – For Addition or Deletion of Affiliated Clients (Repealed)
560.APPENDIX B	Lobbyist Semi-monthly Reports

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560.ILLUSTRATION A	Form S1: Lobbyist Semi-monthly Report – Summary of Reportable Expenditures (Repealed)
560.ILLUSTRATION B	Schedule 1A/2A: Lobbyist Expenditure Report – Itemized Expenditures for Travel and Lodging or Meals, Beverages and Entertainment (Repealed)
560.ILLUSTRATION C	Schedule 1B/2B: Lobbyist Expenditure Report – Non-Itemized Expenditures for Travel and Lodging or Meals, Beverages and Entertainment (Repealed)
560.ILLUSTRATION D	Schedule 2C/3C: Lobbyist Expenditure Report – Expenditures for Large Gatherings (Repealed)
560.ILLUSTRATION E	Schedule 3A/4A: Lobbyist Expenditure Report – Itemized Expenditures for Gifts or Honoraria (Repealed)
560.ILLUSTRATION F	Schedule 3B/4B: Lobbyist Expenditure Report – Non-Itemized Expenditures for Gifts and Honoraria (Repealed)
560.ILLUSTRATION G	Schedule GR1: Lobbyist Expenditure Notification – Expenditures Notification in Connection with a Grass Roots Lobbying Event (Repealed)

AUTHORITY: Implementing and authorized by the Lobbyist Registration Act [25 ILCS 170].

SOURCE: Adopted at 18 Ill. Reg. 22532, effective January 1, 1994; amended at 21 Ill. Reg. 405, effective January 1, 1997; emergency amendment at 22 Ill. Reg. 22419, effective December 8, 1998, for a maximum of 150 days; amended at 23 Ill. Reg. 5856, effective May 3, 1999; amended at 24 Ill. Reg. 6708, effective April 14, 2000; emergency amendment at 35 Ill. Reg. 2424, effective January 21, 2011, for a maximum of 150 days; emergency expired June 19, 2011; amended at 35 Ill. Reg. 12761, effective July 18, 2011; emergency amendment at 37 Ill. Reg. 20784, effective December 16, 2013, for a maximum of 150 days.

SUBPART A: DEFINITIONS

Section 560.100 Definitions**EMERGENCY**

The following definitions shall apply to this Part:

"Act" means the Lobbyist Registration Act [25 ILCS 170].

"Administrative action" means the execution or rejection of any rule, regulation, legislative rule, standard, fee, rate, contractual arrangement, purchasing

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agreement or other delegated legislative or quasi-legislative action to be taken or withheld by any executive agency, department, board or commission of the State. (Section 2(i) of the Act) It shall not include any correspondence or direct lobbying communication to an official providing a response to an official's request.

"Allocation" means the proration of the expenditure made for lobbying an official when the expenditure is made for more than one official, but fewer than 25 officials.

"Authorized Agent" means the person designated by *an entity or lobbyist registered under the Act as the person responsible for the accurate submission and retention of reports required under the Act.* (Section 2(l) of the Act) The authorized agent need not register unless he or she is a lobbyist, as defined in this Section.

"Client" means *any person or entity that provides compensation to or employs a lobbyist to lobby State government as provided in the Act.* ~~an individual, firm, partnership, committee, association, corporation or any other organization on whose behalf a lobbyist influences officials with respect to executive, administrative and legislative action.~~

"Client Registrant" means a client who is required to register under the Act.

"Compensation" means any money, thing of value or financial benefits received or to be received in return for services rendered or to be rendered, for lobbying, as defined in this Section. *Monies paid to officials by the State as remuneration for performance or reimbursement of expenses in connection with their constitutional and statutory duties as officials shall not constitute compensation.* (Section 2 of the Act)

"Complete Report" means a statement or report to be filed with the Secretary of State Index Department in apparent and substantial conformity with the requirements of this Part that shall contain the electronic acknowledgement of the authorized agent, the completion of all applicable sections of the statement or report, and the attachment of all appropriate schedules.

"Direct Lobbying Communication" means any activity concerning the direct contact of officials in person or by means of correspondence, telephone or other

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electronic medium for the purpose of influencing executive, legislative or administrative action. Any correspondence or contact of a routine nature with an official's office, or by a citizen lawfully petitioning a public official pursuant to Section 9 of the Act, shall not be considered direct lobbying communication, unless the communication is made by a hired lobbyist or is in conjunction with a reportable expenditure.

"Due Diligence" means when a lobbyist or authorized agent for any registered entity shows that best efforts have been used to obtain, maintain and submit the information required by the Act. With regard to filing complete reports, the authorized agent will not be deemed to have exercised due diligence unless he or she has access to the expense records of the entity's lobbyists, and has made at least one written request to obtain information required by the Act from the lobbyist that informs the lobbyist that the reporting of that information to the authorized agent is required by law or regulation. This definition should not be construed as a requirement that the authorized agent review the lobbyist's expense records if the lobbyist certifies their accuracy to the authorized agent.

"Employer" means the individual, firm, partnership, committee, association, corporation or any other organization or group of persons by whom a lobbyist is employed, and not the name of the lobbyist's supervisor.

"Executive action" means the proposal, drafting, development, consideration, amendment, adoption, approval, promulgation, issuance, modification, rejection or postponement by a State entity of a rule, regulation, order, decision, determination, contractual arrangement, purchasing agreement or other quasi-legislative or quasi-judicial action or proceeding. (Section 2(g) of the Act) It shall not include any correspondence or communication to an official providing a response to an official's request.

"Expenditure" means a payment, distribution, loan, advance, deposit or gift of money or anything of value, and includes a contract, promise or agreement, whether or not legally enforceable, to make an expenditure, for the ultimate purpose of influencing executive, legislative or administrative action, other than compensation as defined in this Section. (Section 2(b) of the Act) For the purposes of this Part, "expenditure" refers to a reportable expenditure made on behalf of an official in one of the 6 categories described in Section 6 of the Act and Section 560.310 of this Part.

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"File", "Filed" and "Filing" means the submission of a complete report, as defined in this Section, to the Secretary of State Index Department by the close of business on the prescribed filing date. Registration statements, semi-monthly reports, and any other required reports or correspondence shall be completed online, using the Secretary of State Index Department website (<http://www.cyberdriveillinois.com/departments/index/home.html>) unless otherwise instructed. If the filing deadline falls on a weekend or a holiday, the deadline will be extended to the next business day unless otherwise instructed. The Index Department shall notify any lobbying entity who has failed to submit a complete report and pay proper fees as required by Sections 560.220 and 560.390. An entity that fails to file a complete entity registration statement, semi-monthly report, or other required report or correspondence and/or pay proper fees shall not be considered a registered lobbying entity by the Secretary of State.

"Goodwill" means, for reporting purposes, any expenditure made on behalf of officials that has no direct relation to a specific executive, legislative or administrative action, regardless of whether the lobbyist making the expenditure is reimbursed by his or her employing registered entity or client. Goodwill should be reported as the subject matter when no specific action is discussed.

"Grass Roots Lobbying Communication" means:

correspondence by a representative (a lobbyist or a non-lobbyist) of a registered entity to the general public, or any segment thereof, encouraging correspondence to an official's office in support of, or opposition to, an executive, legislative or administrative action;

correspondence by a member of the general public, or any segment thereof, to an official's office in support of, or opposition to, an executive, legislative or administrative action when such correspondence is a result of a communication described above in this definition. A reportable expenditure made for or on behalf of an official by a member of the general public as a result of a grass roots lobbying communication shall constitute lobbying activity requiring that individual to register as a lobbyist unless that person reports the expenditure to the registered entity pursuant to Section 560.325.

"Grass Roots Lobbying Event" means:

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any organized activity sponsored by a registered entity that is intended to influence the actions of officials by inviting or transporting participants (e.g., members, employees, constituents or the general public) to a specific site on the grounds of, or in the proximity of, public offices or other meeting places where officials are expected to be accessible for grass roots lobbying; or

any event to which officials are invited that is sponsored by a non-lobbyist member or employee of a registered entity, e.g., an on-site inspection of, or reception at, the member's or employee's place of business, or a social gathering at any location. Reportable expenditures incurred as a result of the event shall be reported to the registered entity pursuant to Section 560.325.

"Honorarium" means a payment of money to a member of the General Assembly for an appearance or speech, excluding any actual and necessary travel expenses incurred by the member (and one relative) to the extent that those expenses are paid by any other person. [5 ILCS 420/2-110]

"Influencing" means any communication, action, or reportable expenditure or other means used to promote, support, affect, modify, oppose or delay any executive, legislative or administrative action or to promote goodwill with officials, as defined in this Section. (Section 2(f) of the Act)

"Legislative action" means the development, drafting, introduction, consideration, modification, adoption, rejection, review, enactment or passage or defeat of any bill, amendment, resolution, report, nomination, administrative rule, or other matter by either house of the General Assembly or a committee thereof, or by a legislator. Legislative action also means the action of the Governor in approving or vetoing any bill or portion thereof, and the action of the Governor or any agency in the development of a proposal for introduction in the legislature. (Section 2(h) of the Act) It shall not include any correspondence or communication to an official providing a response to an official's request.

"Lobby" and "Lobbying" means any communication with an official of the executive or legislative branch of State government as defined in this Section for the ultimate purpose of influencing any executive, legislative or administrative action. (Section 2(e) of the Act) Lobbying shall not be construed to infringe in any way the right of a citizen to lawfully petition any public official by any means

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of communication. The following are excluded from the definition of "lobbying":

Any grass roots lobbying communication as defined in this Section;

Any communication by a candidate or political committee, as defined in Article 9 of the Election Code [10 ILCS 5/9], in relation to the candidate's campaign, or other communications by a political party committee registered with the Illinois State Board of Elections or Federal Election Commission;

Any communication by a political committee registered with the Illinois State Board of Elections or Federal Election Commission in connection with a question of public policy referendum to be presented to the electors; and

Any professional or technical assistance or ministerial function (a function in which nothing is left to discretion) as a normal course of business (see Section 560.210(c), (d), and (n) of this Part).

"Lobbyist" means any natural person who undertakes to lobby State government as defined in this Section. (Section 2(j) of the Act)

"Lobbying entity" means any entity that hires, retains, employs or compensates a natural person to lobby State government as provided in this Section. (Section 2(k) of the Act)

"Official" means:

the Governor, Lieutenant Governor, Secretary of State, Attorney General, State Treasurer and State Comptroller and their Chiefs of Staff;

Cabinet members of any elected constitutional officer, including Directors, Assistant Directors and Chief Legal Counsel or General Counsel, and other position titles of comparable ranking that are deemed by their employing Constitutional Officer to be an official under this Part; and

Members of the General Assembly; and

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Members of any board, commission, authority, or task force of the State authorized or created by State law or by executive order of the Governor that has authority to make binding recommendations or determinations. (Section 2(c) of the Act) (See Section 560.105 for additional information.)

"Official" shall not be construed to include those individuals possessing power of attorney on behalf of an official.

"Person" means any individual, firm, partnership, committee, association, corporation or any other organization or group of persons. (Section 2(a) of the Act)

"Picture" means an original or photocopied photograph of a lobbyist to be affixed to the lobbyist's registration attachment.

"Professional Services and Technical Skills" shall be limited to advice and analysis directly applying any professional or technical discipline (see Section 560.210(c) and (d) of this Part). Being a professional or technical person does not in itself exempt a person from registering if that person undertakes a direct lobbying communication or makes a reportable expenditure.

"Vendor" means any person who sells or leases commodities, equipment, or real estate to the State of Illinois.

(Source: Amended by emergency rulemaking at 37 Ill. Reg. 20784, effective December 16, 2013, for a maximum of 150 days)

SUBPART C: REPORTING REQUIREMENTS

Section 560.310 Categorizing Expenditures**EMERGENCY**

- a) *Expenditures attributable to lobbying officials shall be listed and reported according to the following categories:*
 - 1) *travel and lodging on behalf of others, including, but not limited to, all travel and living accommodations made for or on behalf of State officials during sessions of the General Assembly;*

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- 2) *meals, beverages and other entertainment;*
 - 3) *gifts;*
 - 4) *gifts on the basis of personal friendship;*
 - 5) *honoraria.* Note: Public Act 89-405 added Section 2-110 of the Governmental Ethics Act [5 ILCS 420/2-110] to prohibit members of the General Assembly from accepting any honorarium. This amendment to the Governmental Ethics Act applies only to members of the General Assembly and contains no similar prohibition with respect to the acceptance of honoraria by other officials;
 - 6) *any other thing or service of value not listed under subsections (a)(1) through (5), setting forth a description of the expenditure.* (Section 6(b-2) of the Act)
- b) *The report shall itemize each individual expenditure or transaction and shall include the name of the lobbyist, the name of the official on whose behalf the expenditure was made, the name of the client on whose behalf the expenditure was made, if applicable, the total amount of the expenditure, a description of the expenditure, the seller, purveyor or other provider to whom the expenditure was made (including the address or location of the expenditure), the date on which the expenditure occurred and the subject matter of the lobbying activity, if any. For those expenditures made on behalf of a client, if the client is a client registrant, the report shall also include the name and address of the client or clients of the client registrant and the official or officials on whose behalf the expenditures ultimately were made. (Section 6(b) of the Act). For purposes of expenditure reporting, the address of an expenditure may be listed as a landmark, if applicable. If there is no subject matter pertaining to the lobbying activity in connection with an expenditure, the term "goodwill" should be reported as the subject matter. Allocation is permitted for determining the itemization threshold (see Section 560.315).*
- c) Client Information
- 1) Subject to the qualifications in subsection (c)(2), the semi-monthly report shall include the names and addresses of all the clients and clients of client registrants required to be identified under Section 6(b) of the Act who

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~~retained the lobbyist or lobbying entity~~, together with an itemized description for each client of the following:

- A) lobbying regarding executive action, including the name of any executive agency lobbied and the subject matter;
 - B) lobbying regarding any legislative action, including the General Assembly and any other agencies lobbied and the subject matter;
 - C) lobbying regarding administrative action, including the agency lobbied and the subject matter.
- 2) Registrants who made no reportable expenditures during a reporting period shall file a report stating that they had no expenditures. If, however, changes in lobbying activities that are reportable under Section 5 of the Act have taken place, a registrant shall amend its registration pursuant to Section 560.220.

(Source: Amended by emergency rulemaking at 37 Ill. Reg. 20784, effective December 16, 2013, for a maximum of 150 days)

JOINT COMMITTEE ON ADMINISTRATIVE RULES
ILLINOIS GENERAL ASSEMBLYWITHDRAWAL OF FILING PROHIBITION
ON PROPOSED RULEMAKING

DEPARTMENT OF NATURAL RESOURCES

Heading of the Part: Grant Review and Processing Fees

Code Citation: 17 Ill. Adm. Code 3000

Section Numbers: 3000.10 3000.30 3000.50 3000.70
3000.20 3000.40 3000.60

Date Originally Published in the Illinois Register: 3/15/13
37 Ill. Reg. 2843

Date Filing Prohibition Published in Illinois Register: 11/8/13
37 Ill. Reg. 17996

Date Filing Prohibition Became Effective: 10/22/13

Date Filing Prohibition Withdrawn: 11/19/13, effective with the Department's adoption of the agreed modifications to the rulemaking.

Pursuant to Section 5-115 of the Illinois Administrative Procedure Act, the Joint Committee, at its meeting on 11/19/13, has withdrawn the prohibition against the filing of the Department of Natural Resources' rulemaking, contingent upon and effective with the Department's adoption of the agreed modifications in response to the Objection to the rulemaking.

Please take notice that the agency is no longer prohibited from filing the rulemaking with the Secretary of State, as modified in accordance with agreements between the agency and the Joint Committee on Administrative Rules and the modifications submitted in response to the Objection, and from enforcing or invoking the rule.

JOINT COMMITTEE ON ADMINISTRATIVE RULES
ILLINOIS GENERAL ASSEMBLY

SECOND NOTICES RECEIVED

The following second notices were received by the Joint Committee on Administrative Rules during the period of December 10, 2013 through December 16, 2013. These rulemakings are scheduled for review at the Committee's January 14, 2014 meeting. Other items not contained in this published list may also be considered. Members of the public wishing to express their views with respect to a rulemaking should submit written comments to the Committee at the following address: Joint Committee on Administrative Rules, 700 Stratton Bldg., Springfield IL 62706.

<u>Second Notice Expires</u>	<u>Agency and Rule</u>	<u>Start Of First Notice</u>	<u>JCAR Meeting</u>
1/23/14	<u>State Employees' Retirement System</u> , The Administration and Operation of the State Employees' Retirement System of Illinois (80 Ill. Adm. Code 1540)	10/25/13 37 Ill. Reg. 16901	1/14/14
1/25/14	<u>Illinois State Board of Investment</u> , Rules and Regulations of the Board (74 Ill. Adm. Code 800)	10/18/13 37 Ill. Reg. 16310	1/14/14
1/25/14	<u>Department of Central Management Services</u> , Pay Plan (80 Ill. Adm. Code 310)	10/18/13 37 Ill. Reg. 16048	1/14/14
1/26/14	<u>Department of Human Services</u> , General Administrative Provisions (89 Ill. Adm. Code 10)	10/18/13 37 Ill. Reg. 16300	1/14/14
1/26/14	<u>Department of Human Services</u> , Temporary Assistance for Needy Families (89 Ill. Adm. Code 112)	9/20/13 37 Ill. Reg. 15185	1/14/14
1/26/14	<u>Department of Human Services</u> , Refugee/Repatriate Program (89 Ill. Adm. Code 115)	9/20/13 37 Ill. Reg. 15187	1/14/14

JOINT COMMITTEE ON ADMINISTRATIVE RULES
ILLINOIS GENERAL ASSEMBLY

SECOND NOTICES RECEIVED

1/26/14	<u>Department of Human Services, Supplemental Nutrition Assistance Program (SNAP) (89 Ill. Adm. Code 121)</u>	9/20/13 37 Ill. Reg. 15189	1/14/14
1/26/14	<u>Department of Human Services, Supplemental Nutrition Assistance Program (SNAP) (89 Ill. Adm. Code 121)</u>	10/18/13 37 Ill. Reg. 16302	1/14/14
1/29/14	<u>Illinois Environmental Protection Agency, Water Supply Operator Certification (35 Ill. Adm. Code 681)</u>	10/11/13 37 Ill. Reg. 15799	1/14/14
1/29/13	<u>Illinois Environmental Protection Agency, Water Supply Operator Certification (Repealer) (35 Ill. Adm. Code 680)</u>	10/11/13 37 Ill. Reg. 15771	1/14/14

DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES

NOTICE OF PUBLIC INFORMATION

1. Statute requiring agency to publish information concerning proposed changes in methods and standards for establishing medical assistance payment rates for medical services in the Illinois Register: 5 ILCS 100/5-70(c)
2. Summary of information: PA 98-0104 requires the Illinois Department of Healthcare and Family Services to implement an evidence-based payment methodology for the reimbursement of nursing services provided in nursing facilities, effective January 1, 2014. The methodology shall take into consideration the needs of individual residents, as assessed and reported using the most current version of the nursing facility Minimum Data Set (MDS) adopted by the federal government. A resident reimbursement classification will be established utilizing the 48-Group, Resource Utilizations Groups IV (RUG-IV) classification scheme and weights as published by the Centers for Medicare and Medicaid Services (CMMS).

When fully implemented, the new methodology is intended to be budget neutral. For calendar year 2014, an additional \$64 million has been included into the development of the nursing services rates for the purposes of transitioning to the new rate methodology. The Department will also be filing an administrative rule to implement the change.

3. Name and address of person to contact concerning this information:

Bureau of Program and Reimbursement Analysis
Division of Medical Programs
Healthcare and Family Services
201 South Grand Avenue East
Springfield IL 62763-0001
E-mail address: HFS.bpra@illinois.gov

Interested persons may review these proposed changes on the <http://www2.illinois.gov/hfs/PublicInvolvement/>. Local access to the Internet is available through any local public library. In addition, this material may be viewed at the DHS local offices (except in Cook County). In Cook County, the changes may be reviewed at the Office of the Director, Illinois Department of Healthcare and Family Services, 401 South Clinton Street, Chicago, Illinois. The changes may be reviewed at all offices Monday through Friday from 8:30 a.m. until 5:00 p.m. This notice is being provided in accordance with federal requirements found at 42 *CFR* 447.205.

DEPARTMENT OF CORRECTIONS

JANUARY 2014 REGULATORY AGENDA

a) Part(s) (Heading and Code Citation): Public Information, Rulemaking and Organization, 2 Ill. Adm. Code 850

1) Rulemaking:

- A) Description: This amendment is necessary to reflect the current organizational structure of the Department.
- B) Statutory Authority: 730 ILCS 3-2-2 and 3-2-5
- C) Schedule meeting/hearing date: The Department will accept written public comments at any time in accordance with 2 Ill. Adm. Code 850 or during the First Notice Period per instructions that will be indicated on the Notice.
- D) Date Agency anticipates First Notice: On or before July 1, 2014.
- E) Effect on small businesses, small municipalities or not-for-profit corporations: None
- F) Agency contact person for information:
- Echo Beekman, Rules Coordinator
Illinois Department of Corrections
1301 Concordia Court
P. O. Box 19277
Springfield IL 62794-9277

217/558-2200, ext. 6507
- G) Related rulemakings and other pertinent information: None

b) Part(s) (Heading and Code Citation): Freedom of Information, 2 Ill. Adm. Code 851

1) Rulemaking:

- A) Description: This amendment is necessary to bring DOC FOIA rulemaking into compliance with current FOIA legislation.

DEPARTMENT OF CORRECTIONS

JANUARY 2014 REGULATORY AGENDA

- B) Statutory Authority: 5 ILCS 100/5-15 and 140/1
- C) Schedule meeting/hearing date: The Department will accept written public comments at any time in accordance with 2 Ill. Adm. Code 850 or during the First Notice Period per instructions that will be indicated on the Notice.
- D) Date Agency anticipates First Notice: On or before July 1, 2014.
- E) Effect on small businesses, small municipalities or not-for-profit corporations: None
- F) Agency contact person for information:

Echo Beekman, Rules Coordinator
Illinois Department of Corrections
1301 Concordia Court
P. O. Box 19277
Springfield IL 62794-9277

217/558-2200, ext. 6507
- G) Related rulemakings and other pertinent information: None
- c) Part(s) (Heading and Code Citation): Reimbursement for Expenses, 20 Ill. Adm. Code 110
- 1) Rulemaking:
- A) Description: This amendment is necessary to provide corrected language for sentence credit as set forth by PA 97-0697.
- B) Statutory Authority: 730 ILCS 5/3-7-6 and 3-2-2
- C) Schedule meeting/hearing date: The Department will accept written public comments at any time in accordance with 2 Ill. Adm. Code 850 or during the First Notice Period per instructions that will be indicated on the Notice.

DEPARTMENT OF CORRECTIONS

JANUARY 2014 REGULATORY AGENDA

- D) Date Agency anticipates First Notice: On or before July 1, 2014.
- E) Effect on small businesses, small municipalities or not-for-profit corporations: None
- F) Agency contact person for information:

Echo Beekman, Rules Coordinator
Illinois Department of Corrections
1301 Concordia Court
P. O. Box 19277
Springfield IL 62794-9277

217/558-2200, ext. 6507
- G) Related rulemakings and other pertinent information: None
- d) Part(s) (Heading and Code Citation): Rules of Conduct, 20 Ill. Adm. Code 120
- 1) Rulemaking:
- A) Description: This amendment is necessary correct the language requiring an employee authorized to carry a firearm, who has been admitted as an inpatient in a mental health hospital, to produce a waiver from lifting the prohibition to possess a firearm or ammunition in accordance with 430 ILCS 65/10(c).
- B) Statutory Authority: 730 ILCS 5/3-2-2 and 3-7-1, 5 ILCS 430/5-15, 10-10, 10-15, and 20-70, 18 USC 922 and 720 ILCS 5/24-3.1(4)
- C) Schedule meeting/hearing date: The Department will accept written public comments at any time in accordance with 2 Ill. Adm. Code 850 or during the First Notice Period per instructions that will be indicated on the Notice.
- D) Date Agency anticipates First Notice: On or before July 1, 2014.

DEPARTMENT OF CORRECTIONS

JANUARY 2014 REGULATORY AGENDA

- E) Effect on small businesses, small municipalities or not-for-profit corporations: None
- F) Agency contact person for information:
- Echo Beekman, Rules Coordinator
Illinois Department of Corrections
1301 Concordia Court
P. O. Box 19277
Springfield IL 62794-9277
- 217/558-2200, ext. 6507
- G) Related rulemakings and other pertinent information: None
- e) Part(s) (Heading and Code Citation): Health Care, 20 Ill. Adm. Code 415
- 1) Rulemaking:
- A) Description: This amendment is necessary to comply with PA 97-0323.
- B) Statutory Authority: 730 ILCS 5/3-2-2, 3-6-2, 3-7-2, 3-8-2, 3-10-2, 3-10-3, and 5-2-6
- C) Schedule meeting/hearing date: The Department will accept written public comments at any time in accordance with 2 Ill. Adm. Code 850 or during the First Notice Period per instructions that will be indicated on the Notice.
- D) Date Agency anticipates First Notice: On or before July 1, 2014.
- E) Effect on small businesses, small municipalities or not-for-profit corporations: None
- F) Agency contact person for information:
- Echo Beekman, Rules Coordinator
Illinois Department of Corrections
1301 Concordia Court

DEPARTMENT OF CORRECTIONS

JANUARY 2014 REGULATORY AGENDA

P. O. Box 19277
Springfield IL 62794-9277

217/558-2200, ext. 6507

G) Related rulemakings and other pertinent information: None

f) Part(s) (Heading and Code Citation): Assignment of Committed Persons, 20 Ill. Adm. Code 420

1) Rulemaking:

A) Description: This rulemaking is necessary to provide corrected language for sentence credit as set forth by PA 97-0697 and to ensure proper awards for successful completion of programs and assignments.

B) Statutory Authority: 730 ILCS 5/3-2-2, 3-6-3, 3-8-3, and 3-10-3

C) Schedule meeting/hearing date: The Department will accept written public comments at any time in accordance with 2 Ill. Adm. Code 850 or during the First Notice Period per instructions that will be indicated on the Notice.

D) Date Agency anticipates First Notice: On or before July 1, 2014.

E) Effect on small businesses, small municipalities or not-for-profit corporations: None

F) Agency contact person for information:

Echo Beekman, Rules Coordinator
Illinois Department of Corrections
1301 Concordia Court
P. O. Box 19277
Springfield IL 62794-9277

217/558-2200, ext. 6507

DEPARTMENT OF CORRECTIONS

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G) Related rulemakings and other pertinent information: None

g) Part(s) (Heading and Code Citation): Chaplaincy Services and Religious Practices, 20 Ill. Adm. Code 425

1) Rulemaking:

A) Description: This rulemaking is required to comply with current law and practice as it relates to accommodations for religious diets.

B) Statutory Authority: 730 ILCS 5/3-7-1

C) Schedule meeting/hearing date: The Department will accept written public comments at any time in accordance with 2 Ill. Adm. Code 850 or during the First Notice Period per instructions that will be indicated on the Notice.

D) Date Agency anticipates First Notice: On or before July 1, 2014.

E) Effect on small businesses, small municipalities or not-for-profit corporations: None

F) Agency contact person for information:

Echo Beekman, Rules Coordinator
Illinois Department of Corrections
1301 Concordia Court
P. O. Box 19277
Springfield IL 62794-9277

217/558-2200, ext. 6507

G) Related rulemakings and other pertinent information: None

h) Part(s) (Heading and Code Citation): Release of Committed Persons, 20 Ill. Adm. Code 470

1) Rulemaking:

DEPARTMENT OF CORRECTIONS

JANUARY 2014 REGULATORY AGENDA

- A) Description: This rulemaking is necessary to include the requirement for notification of no less than 14 days prior to release of any offender released early due to an award of supplemental sentence credit.
- B) Statutory Authority: 730 ILCS 5/3-2-2, 3-14-1, 3-14-2, and 3-14-3
- C) Schedule meeting/hearing date: The Department will accept written public comments at any time in accordance with 2 Ill. Adm. Code 850 or during the First Notice Period per instructions that will be indicated on the Notice.
- D) Date Agency anticipates First Notice: On or before July 1, 2014.
- E) Effect on small businesses, small municipalities or not-for-profit corporations: None
- F) Agency contact person for information:
- Echo Beekman, Rules Coordinator
Illinois Department of Corrections
1301 Concordia Court
P. O. Box 19277
Springfield IL 62794-9277
- 217/558-2200, ext. 6507
- G) Related rulemakings and other pertinent information: None

i) Part(s) (Heading and Code Citation): Security, 20 Ill. Adm. Code 501

1) Rulemaking:

- A) Description: This amendment is necessary to implement the Director's position that only persons of the same gender as the offender may perform or observe strip searches of offenders and to clarify that canine searches can not be performed on humans.

DEPARTMENT OF CORRECTIONS

JANUARY 2014 REGULATORY AGENDA

- B) Statutory Authority: 720 ILCS 5/7-1, 7-3, 7-9, and 31A-1.1; 725 ILCS 5/103-1 et seq.; and 730 ILCS 5/3-2-2, 3-4-3, 3-6-2, 3-6-4, 3-7-2, 3-7-4, 3-8-1, 3-8-7, 3-8-8, and 3-10-8
- C) Schedule meeting/hearing date: The Department will accept written public comments at any time in accordance with 2 Ill. Adm. Code 850 or during the First Notice Period per instructions that will be indicated on the Notice.
- D) Date Agency anticipates First Notice: On or before July 1, 2014.
- E) Effect on small businesses, small municipalities or not-for-profit corporations: None
- F) Agency contact person for information:
- Echo Beekman, Rules Coordinator
Illinois Department of Corrections
1301 Concordia Court
P. O. Box 19277
Springfield IL 62794-9277
- 217/558-2200, ext. 6507
- G) Related rulemakings and other pertinent information: None
- j) Part(s) (Heading and Code Citation): Discipline and Grievances, 20 Ill. Adm. Code 504
- 1) Rulemaking:
- A) Description: This rulemaking is necessary to provide corrected language for sentence credit as set forth by PA 97-0697 and to incorporate standardized procedures/considerations for disciplinary action when the offender is found to be mentally ill.
- B) Statutory Authority: 42 USC 12101 et seq., and 730 ILCS 5/3-2-2, 3-5-2, 3-6-3, 3-8-7, 3-8-8, 3-10-8, and 3-10-9

DEPARTMENT OF CORRECTIONS

JANUARY 2014 REGULATORY AGENDA

- C) Schedule meeting/hearing date: The Department will accept written public comments at any time in accordance with 2 Ill. Adm. Code 850 or during the First Notice Period per instructions that will be indicated on the Notice.
- D) Date Agency anticipates First Notice: On or before July 1, 2014.
- E) Effect on small businesses, small municipalities or not-for-profit corporations: None
- F) Agency contact person for information:
- Echo Beekman, Rules Coordinator
Illinois Department of Corrections
1301 Concordia Court
P. O. Box 19277
Springfield IL 62794-9277
- 217/558-2200, ext. 6507
- G) Related rulemakings and other pertinent information: None
- k) Part(s) (Heading and Code Citation): Rights and Privileges, 20 Ill. Adm. Code 525
- 1) Rulemaking:
- A) Description: This rulemaking is necessary to comply with PA 96-1513.
- B) Statutory Authority: 730 ILCS 5/3-2-2, 3-7-1, 3-7-2, 3-8-7, 3-8-8, 3-10-8, and 3-10-9
- C) Schedule meeting/hearing date: The Department will accept written public comments at any time in accordance with 2 Ill. Adm. Code 850 or during the First Notice Period per instructions that will be indicated on the Notice.
- D) Date Agency anticipates First Notice: On or before July 1, 2014.

DEPARTMENT OF CORRECTIONS

JANUARY 2014 REGULATORY AGENDA

E) Effect on small businesses, small municipalities or not-for-profit corporations: None

F) Agency contact person for information:

Echo Beekman, Rules Coordinator
Illinois Department of Corrections
1301 Concordia Court
P. O. Box 19277
Springfield IL 62794-9277

217/558-2200, ext. 6507

G) Related rulemakings and other pertinent information: None

HUMAN RIGHTS COMMISSION

JANUARY 2014 REGULATORY AGENDA

- a) Part(s) (Heading and Code Citation): Procedural Rules (56 Ill. Adm. Code 5300).
- 1) Rulemaking:
- A) Description: Pursuant to PA 96-876 effective 02/02/10, clarifies a respondent's rights upon receipt of a notice of default issued by the Department, explains the rights of the Complainant after the Commission grants a Petition for Default, expands the timeline for complainant to request the Commission review a notice of dismissal of a charge issued by the Department, limit the number of pages for Request for Review. Pursuant to 5 ILCS 120/2.06 (g) of the Open Meetings Act, clarifies accessibility of Commission meetings to the public.
- B) Statutory Authority: Section 8-102(E) of the Illinois Human Rights Act [775 ILCS 8-102(E)].
- C) Scheduled meeting/hearing dates: No meetings or hearings are scheduled or anticipated at this time.
- D) Date Agency anticipates First Notice: During the next six months.
- E) Effect on small business, small municipalities or not-for-profit corporations: None
- F) Agency contact person for information:
- Evelio Mora
Assistant General Counsel
Illinois Human Rights Commission
100 W. Randolph St., Ste. 5-100
Chicago IL 60601
- 312/814-1914
TTY: 312/814-4760
- G) Related rulemaking and other pertinent information: None

ATTORNEY GENERAL

JANUARY 2014 REGULATORY AGENDA

- a) Part(s) (Heading and Code Citations): Hospital Financial Assistance under the Fair Patient Billing Act (77 Ill. Adm. Code 4500)
- 1) Rulemaking: Proposed Rulemaking
- A) Description: The amendments will update the federal poverty income guidelines in Appendix A and remove the internal effective date of January 1, 2014, and may also include changes to other sections of the rules pursuant to a previous agreement with JCAR.
- B) Statutory Authority: Fair Patient Billing Act [210 ILCS 88/27]
- C) Scheduled meeting/hearing dates: No meetings or hearings are scheduled or anticipated at this time.
- D) Date Agency anticipates First Notice: Spring 2014
- E) Affect on small businesses, small municipalities or not-for-profit corporations: The rules may affect small businesses, small municipalities and not-for-profit corporations that operate hospitals in Illinois by requiring the modification of their forms to reflect updated federal poverty income guideline information.
- F) Agency contact person for information:
- David F. Buysse
Deputy Chief, Public Interest Division
Office of the Illinois Attorney General
100 West Randolph Street, 12th Floor
Chicago IL 60601
- 312/814-7236
- G) Related rulemakings and other pertinent information: None
- b) Part(s) (Heading and Code Citations): Compliance with Freedom of Information Act (2 Ill. Adm. Code 576)
- 1) Rulemaking: Proposed Rulemaking

ATTORNEY GENERAL

JANUARY 2014 REGULATORY AGENDA

- A) Description: The Attorney General's rules need to be updated to address changes in the law and the Agency's organizational structure.
- B) Statutory Authority: Implementing and authorized by the Freedom of Information Act [5 ILCS 140] and Section 5-15 of the Administrative Procedure Act [5 ILCS 100/5-15]
- C) Scheduled meeting/hearing dates: No meetings or hearings are scheduled or anticipated at this time.
- D) Date Agency anticipates First Notice: January 2014
- E) Affect on small businesses, small municipalities or not-for-profit corporations: The rulemaking may affect small businesses, small municipalities or not-for-profit corporations that file Freedom of Information Act requests for public records with the Office of the Attorney General.
- F) Agency contact person for information:

Caitlin Knutte
Freedom of Information Officer
Office of the Illinois Attorney General
500 South Second Street
Springfield IL 62706

217/782-9090
- G) Related rulemakings and other pertinent information: None

ILLINOIS STUDENT ASSISTANCE COMMISSION

JANUARY 2014 REGULATORY AGENDA

- a) Part(s) (Heading and Code Citations): General Provisions 23 Ill. Adm. Code 2700
- 1) Rulemaking:
- A) Description: ISAC annually reviews its rules in order to respond to client suggestions, to implement State and federal statutory amendments and to clarify issues that have arisen during the previous year. The agency also continues to increase the level of standardization and consistency in procedures, format and terminology throughout our programmatic rules, in order to support program administration and make them easier for our clients to use.
- B) Statutory Authority: Implementing the Higher Education Student Assistance Act [110 ILCS 947]; Title IV of the Higher Education Act of 1965, as amended (20 USC 1070 et seq., as amended by P.L. 105-244); and authorized by Section 20(f) of the Higher Education Student Assistance Act [110 ILCS 947/20(f)].
- C) Scheduled meeting/hearing dates: At this time, ISAC has not scheduled a hearing or a meeting specifically to solicit comments on this anticipated rulemaking. Nonetheless, members of the public may submit views or comments in writing to the individual identified in item F, below.
- D) Date agency anticipates First Notice: January 2014
- E) Affect on small businesses, small municipalities or not for profit corporations: None
- F) Agency contact person for information:
Lynn Hynes
Agency Rules Coordinator
Illinois Student Assistance Commission
1755 Lake Cook Road
Deerfield, Illinois 60015
- Telephone: 847/948-8500, ext. 2305
Email: lynn.hynes@isac.illinois.gov
Fax: 847/831-8299

ILLINOIS STUDENT ASSISTANCE COMMISSION

JANUARY 2014 REGULATORY AGENDA

- G) Related rulemakings and other pertinent information: None
- b) Part(s) (Heading and Code Citations): Federal Family Education Loan Program (FFELP)
23 Ill. Adm. Code 2720
- 1) Rulemaking:
- A) Description: ISAC annually reviews its rules in order to respond to client suggestions, to implement State and federal statutory amendments and to clarify issues that have arisen during the previous year. The agency also continues to increase the level of standardization and consistency in procedures, format and terminology throughout our programmatic rules, in order to support program administration and make them easier for our clients to use.
- B) Statutory Authority: Implementing Sections 80 through 175 of the Higher Education Student Assistance Act [110 ILCS 947/80 through 175]; Title IV, Part B, of the Higher Education Act of 1965, as amended (20 USCA 1071 et seq.); and authorized by Section 20(f) of the Higher Education Student Assistance Act [110 ILCS 947/20(f)].
- C) Scheduled meeting/hearing dates: At this time, ISAC has not scheduled a hearing or a meeting specifically to solicit comments on this anticipated rulemaking. Nonetheless, members of the public may submit views or comments in writing to the individual identified in item F, below.
- D) Date agency anticipates First Notice: January 2014
- E) Affect on small businesses, small municipalities or not for profit corporations: None
- F) Agency contact person for information:
Lynn Hynes
Agency Rules Coordinator
Illinois Student Assistance Commission
1755 Lake Cook Road
Deerfield, Illinois 60015

Telephone: 847/948-8500, ext. 2305

ILLINOIS STUDENT ASSISTANCE COMMISSION

JANUARY 2014 REGULATORY AGENDA

Email: lynn.hynes@isac.illinois.gov

Fax: 847/831-8299

G) Related rulemakings and other pertinent information: None

c) Part(s) (Heading and Code Citations): Grant Program for Dependents of Correctional Officers 23 Ill. Adm. Code 2731

1) Rulemaking:

A) Description: ISAC annually reviews its rules in order to respond to client suggestions, to implement State and federal statutory amendments and to clarify issues that have arisen during the previous year. The agency also continues to increase the level of standardization and consistency in procedures, format and terminology throughout our programmatic rules, in order to support program administration and make them easier for our clients to use.

B) Statutory Authority: Implementing Section 60 and authorized by Section 20(f) of the Higher Education Student Assistance Act [110 ILCS 947/60 and 20(f)].

C) Scheduled meeting/hearing dates: At this time, ISAC has not scheduled a hearing or a meeting specifically to solicit comments on this anticipated rulemaking. Nonetheless, members of the public may submit views or comments in writing to the individual identified in item F, below.

D) Date agency anticipates First Notice: January 2014

E) Affect on small businesses, small municipalities or not for profit corporations: None

F) Agency contact person for information:

Lynn Hynes

Agency Rules Coordinator

Illinois Student Assistance Commission

1755 Lake Cook Road

Deerfield, Illinois 60015

ILLINOIS STUDENT ASSISTANCE COMMISSION

JANUARY 2014 REGULATORY AGENDA

Telephone: 847/948-8500, ext. 2305

Email: lynn.hynes@isac.illinois.gov

Fax: 847/831-8299

G) Related rulemakings and other pertinent information: None

d) Part(s) (Heading and Code Citations): Grant Program for Dependents of Police or Fire Officers 23 Ill. Adm. Code 2732

1) Rulemaking:

A) Description: ISAC annually reviews its rules in order to respond to client suggestions, to implement State and federal statutory amendments and to clarify issues that have arisen during the previous year. The agency also continues to increase the level of standardization and consistency in procedures, format and terminology throughout our programmatic rules, in order to support program administration and make them easier for our clients to use.

B) Statutory Authority: Implementing Section 55 and authorized by Section 20(f) of the Higher Education Student Assistance Act [110 ILCS 947/55 and 20(f)].

C) Scheduled meeting/hearing dates: At this time, ISAC has not scheduled a hearing or a meeting specifically to solicit comments on this anticipated rulemaking. Nonetheless, members of the public may submit views or comments in writing to the individual identified in item F, below.

D) Date agency anticipates First Notice: January 2014

E) Affect on small businesses, small municipalities or not for profit corporations: None

F) Agency contact person for information:

Lynn Hynes

Agency Rules Coordinator

Illinois Student Assistance Commission

1755 Lake Cook Road

Deerfield, Illinois 60015

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Telephone: 847/948-8500, ext. 2305

Email: lynn.hynes@isac.illinois.gov

Fax: 847/831-8299

G) Related rulemakings and other pertinent information: None

e) Part(s) (Heading and Code Citations): Illinois Special Education Teacher Tuition Waiver (SETTW) Program 23 Ill. Adm. Code 2765

1) Rulemaking:

A) Description: ISAC annually reviews its rules in order to respond to client suggestions, to implement State and federal statutory amendments and to clarify issues that have arisen during the previous year. The agency also continues to increase the level of standardization and consistency in procedures, format and terminology throughout our programmatic rules, in order to support program administration and make them easier for our clients to use.

B) Statutory Authority: Implementing Section 65.15 and authorized by Sections 20(f) and 65.15(a)(2) of the Higher Education Student Assistance Act [110 ILCS 947/20(f) and 65.15].

C) Scheduled meeting/hearing dates: At this time, ISAC has not scheduled a hearing or a meeting specifically to solicit comments on this anticipated rulemaking. Nonetheless, members of the public may submit views or comments in writing to the individual identified in item F, below.

D) Date agency anticipates First Notice: January 2014

E) Affect on small businesses, small municipalities or not for profit corporations: None

F) Agency contact person for information:

Lynn Hynes

Agency Rules Coordinator

Illinois Student Assistance Commission

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Deerfield, Illinois 60015

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Email: lynn.hynes@isac.illinois.gov

Fax: 847/831-8299

- G) Related rulemakings and other pertinent information: None

DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES

NOTICE OF PUBLIC INFORMATION

1. Statute requiring agency to publish information concerning proposed changes in methods and standards for establishing medical assistance payment rates for medical services in the Illinois Register: 5 ILCS 100/5-70(c)

2. Summary of information: In accordance with Section 4701 of the Patient Protection and Affordable Care Act [P.L. 111-148], the Illinois Department of Healthcare and Family Services is proposing to provide coverage of comprehensive tobacco cessation services for pregnant women, including both counseling and pharmacotherapy, for cessation of tobacco use by pregnant women effective January 1, 2014.

Annual cost is estimated at \$2.8 million to provide tobacco cessation counseling for pregnant women. Although an additional cost to the Department, it is highly likely cost will be recouped in savings attributed to fewer premature births, lower birth weights, birth defects, and less costly healthcare in the future for the non-smoking mother.

3. Name and address of person to contact concerning this information:

Bureau of Program and Reimbursement Analysis
Division of Medical Programs
Healthcare and Family Services
201 South Grand Avenue East
Springfield IL 62763-0001
E-mail address: HFS.bpra@illinois.gov

Interested persons may review these proposed changes on the [HFS Public Involvement Web page](http://www2.illinois.gov/hfs/PublicInvolvement/) <<http://www2.illinois.gov/hfs/PublicInvolvement/>>. Local access to the Internet is available through any local public library. In addition, this material may be viewed at the DHS local offices (except in Cook County). In Cook County, the changes may be reviewed at the Office of the Director, Illinois Department of Healthcare and Family Services, 401 South Clinton Street, Chicago, Illinois. The changes may be reviewed at all offices Monday through Friday from 8:30 a.m. until 5:00 p.m. This notice is being provided in accordance with federal requirements found at 42 *CFR* 447.205.

ILLINOIS ADMINISTRATIVE CODE
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