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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 preemptory 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 2016

Issue#	Rules Due Date	Date of Issue
1	December 21, 2015	January 4, 2016
2	December 28, 2015	January 8, 2016
3	January 4, 2016	January 15, 2016
4	January 11, 2016	January 22, 2016
5	January 19, 2016	January 29, 2016
6	January 25, 2016	February 5, 2016
7	February 1, 2016	February 16, 2016
8	February 8, 2016	February 19, 2016
9	February 16, 2016	February 26, 2016
10	February 22, 2016	March 4, 2016
11	February 29, 2016	March 11, 2016
12	March 7, 2016	March 18, 2016
13	March 14, 2016	March 25, 2016
14	March 21, 2016	April 1, 2016
15	March 28, 2016	April 8, 2016
16	April 4, 2016	April 15, 2016
17	April 11, 2016	April 22, 2016
18	April 18, 2016	April 29, 2016
19	April 25, 2016	May 6, 2016
20	May 2, 2016	May 13, 2016
21	May 9, 2016	May 20, 2016
22	May 16, 2016	May 27, 2016

23	May 23, 2016	June 3, 2016
24	May 31, 2016	June 10, 2016
25	June 6, 2016	June 17, 2016
26	June 13, 2016	June 24, 2016
27	June 20, 2016	July 1, 2016
28	June 27, 2016	July 8, 2016
29	July 5, 2016	July 15, 2016
30	July 11, 2016	July 22, 2016
31	July 18, 2016	July 29, 2016
32	July 25, 2016	August 5, 2016
33	August 1, 2016	August 12, 2016
34	August 8, 2016	August 19, 2016
35	August 15, 2016	August 26, 2016
36	August 22, 2016	September 2, 2016
37	August 29, 2016	September 9, 2016
38	September 6, 2016	September 16, 2016
39	September 12, 2016	September 23, 2016
40	September 19, 2016	September 30, 2016
41	September 26, 2016	October 7, 2016
42	October 3, 2016	October 14, 2016
43	October 11, 2016	October 21, 2016
44	October 17, 2016	October 28, 2016
45	October 24, 2016	November 4, 2016
46	October 31, 2016	November 14, 2016
47	November 7, 2016	November 18, 2016
48	November 14, 2016	November 28, 2016
49	November 21, 2016	December 2, 2016
50	November 28, 2016	December 9, 2016
51	December 5, 2016	December 16, 2016
52	December 12, 2016	December 27, 2016
53	December 19, 2016	December 30, 2016

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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, 2016 until January 3, 2017.

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## DEPARTMENT OF LABOR

## NOTICE OF PROPOSED AMENDMENT

- 1) Heading of the Part: Rules and Regulations Relating to the Operation of Private Employment Agencies
- 2) Code Citation: 68 Ill. Adm. Code 680
- 3) Section Number: 680.1000                      Proposed Action:  
New Section
- 4) Statutory Authority: Implementing Private Employment Agency Act [225 ILCS 515]
- 5) A Complete Description of the Subjects and Issues Involved: This rule implements the change in PA 99-422 to move the fee structure for licenses from the Act to Administrative Rules.
- 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 rulemakings pending on this Part? No
- 11) Statement of Statewide Policy Objective: This rulemaking does not create a State mandate, nor does it modify any existing State mandates.
- 12) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Interested parties may submit comments in writing within 45 days after publication to:

Chris Wieneke  
Chief Legislative Liaison  
Illinois Department of Labor  
900 S. Spring St.  
Springfield IL 62704

217/558-1270

DEPARTMENT OF LABOR

NOTICE OF PROPOSED AMENDMENT

- 13) Initial Regulatory Flexibility Analysis:
- A) Types of small businesses, small municipalities and not-for-profit corporations affected: Any small business that is or should be registered as a Private Employment Agency with the Illinois Department of Labor
  - 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: None

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

## DEPARTMENT OF LABOR

## NOTICE OF PROPOSED AMENDMENT

TITLE 68: PROFESSIONS AND OCCUPATIONS  
CHAPTER III: DEPARTMENT OF LABORPART 680  
RULES AND REGULATIONS RELATING TO  
THE OPERATION OF PRIVATE EMPLOYMENT AGENCIESSUBPART A: PROCEDURE FOR INITIATION AND RESOLUTION OF COMPLAINTS  
SEEKING REVOCATION OR SUSPENSION OF LICENSE OF A PRIVATE  
EMPLOYMENT AGENCY OR EMPLOYMENT COUNSELOR

## Section

680.100	Provisions of the Act (Repealed)
680.110	Provisions of the Illinois Human Rights Act (Repealed)
680.120	Obtaining Copies (Repealed)
680.130	Additional Provisions of the Illinois Human Rights Act (Repealed)
680.140	Prohibition of Discrimination Practices (Repealed)
680.200	Provisions of the Act
680.210	Procedures in Connection with Initiation and Resolution of Complaints
680.215	Filing Complaint
680.220	Investigation of Complaint
680.225	Contested Case Resolution
680.230	Rules of Procedures in Administrative Hearings – Contested Cases (Repealed)

SUBPART B: STANDARDS OF PRACTICE FOR ADVERTISING BY  
PRIVATE EMPLOYMENT AGENCIES AND EMPLOYMENT COUNSELORS

## Section

680.300	Prohibition of False or Misleading Statements
680.310	Prohibition of Solicitation for Jobs Not on File
680.320	Maintenance of File
680.330	Advertisements and Notices
680.340	Indication of Employer Paying Placement Fees
680.350	Salary
680.360	Cancellation of Advertisements for Filled Positions

## SUBPART C: SOLICITING OF EMPLOYEES

## Section

DEPARTMENT OF LABOR

NOTICE OF PROPOSED AMENDMENT

680.400      Soliciting of Employees

SUBPART D: LETTER SERVICE

Section  
680.500      Letter Writing Service

SUBPART E: TELEPHONES

Section  
680.600      Employment Agency Telephone Numbers

SUBPART F: COPY OF CONTRACT TO APPLICANT

Section  
680.700      Copy of Contract

SUBPART G: STANDARDS OF PRACTICE BY PRIVATE  
EMPLOYMENT AGENCIES CONDUCTING A "DOMESTIC AGENCY"

Section  
680.800      Definition of "Domestic Agency"  
680.810      Applications for Domestic Services  
680.820      Requirements of Licensee  
680.830      Endorsement of Application  
680.840      Verification of References  
680.850      Executed Application Forms and Verifications of References  
680.860      Referral Slips  
680.870      Verification of Qualifications  
680.880      Separate Records  
680.890      Physical Examination Documentation

SUBPART H: PRIVATE EMPLOYMENT AGENCY LICENSURE

680.1000      License Application Fee Schedule

AUTHORITY: Implementing and authorized by the Private Employment Agency Act [225 ILCS 515].

## DEPARTMENT OF LABOR

## NOTICE OF PROPOSED AMENDMENT

SOURCE: Adopted October 22, 1963; amended March 15, 1967; amended January 3, 1977; amended at 3 Ill. Reg. 23, page 84, effective June 9, 1979; amended at 3 Ill. Reg. 34, page 190, effective August 24, 1979; emergency rule at 5 Ill. Reg. 14623, effective January 1, 1982, for a maximum of 150 days; amended and codified at 6 Ill. Reg. 5778, effective April 30, 1982; amended at 25 Ill. Reg. 878, effective January 5, 2001; amended at 41 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.

SUBPART H: PRIVATE EMPLOYMENT AGENCY LICENSURESection 680.1000 License Application Fee Schedule

- a) The Department licenses private employment agencies in accordance with Section 1 of the Act.
  
- b) The fee that must be submitted along with a domestic agency's application for licensure is determined by the number of employment counselors that the Agency employs. The current fee schedule is:
  - 1) 1 to 2 employment counselors: \$250
  - 2) 3 to 5 employment counselors: \$350
  - 3) 6 to 10 employment counselors: \$400
  - 4) 11 or more employment counselors: \$500

(Source: Added at 41 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## DEPARTMENT OF REVENUE

## NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: Income Tax
- 2) Code Citation: 86 Ill. Adm. Code 100
- 3) 

<u>Section Numbers:</u>	<u>Proposed Actions:</u>
100.7310	Amendment
100.7325	Amendment
- 4) Statutory Authority: 35 ILCS 5/704A
- 5) A Complete Description of the Subjects and Issues Involved: This rulemaking amends Sections 100.7310 and 100.7325 to terminate the programs allowing annual filing of withholding returns and annual payment of taxes withheld, because too many employers were confused by the programs and made incorrect filings and payments.
- 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? Yes

<u>Section Numbers:</u>	<u>Proposed Actions:</u>	<u>Illinois Register Citation:</u>
100.3380	Amendment	40 Ill. Reg. 15878; December 2, 2016
100.3390	Amendment	40 Ill. Reg. 15878; December 2, 2016
- 11) Statement of Statewide Policy Objective: This rulemaking does not create a State mandate, nor does it modify any existing State mandates.
- 12) Time, Place and Manner in which interested persons may comment on this rulemaking: Persons who wish to submit comments on this rulemaking may submit them in writing by no later than 45 days after publication of this Notice to:

Brian Stocker  
Staff Attorney

## DEPARTMENT OF REVENUE

## NOTICE OF PROPOSED AMENDMENTS

Illinois Department of Revenue  
Legal Services Office  
101 West Jefferson  
Springfield IL 62796

217/782-2844

- 13) Initial Regulatory Flexibility Analysis:
- A) Types of small businesses, small municipalities and not-for-profit corporations affected: This provides guidance on small businesses who were or might have become eligible to file withholding returns annually rather than quarterly and make payments of withheld taxes annually, rather than quarterly, and will no longer be allowed to do so.
  - 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: July 2016

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

## DEPARTMENT OF REVENUE

## NOTICE OF PROPOSED AMENDMENTS

TITLE 86: REVENUE  
CHAPTER I: DEPARTMENT OF REVENUEPART 100  
INCOME TAX

## SUBPART A: TAX IMPOSED

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100.2000	Introduction
100.2050	Net Income (IITA Section 202)
100.2060	Compassionate Use of Medical Cannabis Pilot Program Act Surcharge (IITA Section 201(o))

## SUBPART B: CREDITS

Section	
100.2100	Replacement Tax Investment Credit Prior to January 1, 1994 (IITA Section 201(e))
100.2101	Replacement Tax Investment Credit (IITA 201(e))
100.2110	Investment Credit; Enterprise Zone and River Edge Redevelopment Zone (IITA Section 201(f))
100.2120	Jobs Tax Credit; Enterprise Zone and Foreign Trade Zone or Sub-Zone and River Edge Redevelopment Zone (IITA Section 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 Section 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)
100.2171	Angel Investment Credit (IITA 220)
100.2180	Credit for Residential Real Property Taxes (IITA 208)
100.2185	Film Production Services Credit (IITA Section 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))

## DEPARTMENT OF REVENUE

## NOTICE OF PROPOSED AMENDMENTS

- 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  
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  
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- 100.2300 Illinois Net Loss Deduction for Losses Occurring On or After December 31, 1986 (IITA 207)
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## DEPARTMENT OF REVENUE

## NOTICE OF PROPOSED AMENDMENTS

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- 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))
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## DEPARTMENT OF REVENUE

## NOTICE OF PROPOSED AMENDMENTS

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## DEPARTMENT OF REVENUE

## NOTICE OF PROPOSED AMENDMENTS

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- 100.3340 Business Income of Persons Other Than Residents (IITA Section 304)
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- 100.3370 Sales Factor (IITA Section 304)
- 100.3371 Sales Factor for Telecommunications Services
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- 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))
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## DEPARTMENT OF REVENUE

## NOTICE OF PROPOSED AMENDMENTS

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## DEPARTMENT OF REVENUE

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## DEPARTMENT OF REVENUE

## NOTICE OF PROPOSED AMENDMENTS

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- 100.7310 Returns Filed and Payments Made on Annual Basis (IITA Sections 704 and 704A)
- 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)
- 100.7380 Economic Development for a Growing Economy (EDGE) and Small Business Job Creation Credit (IITA Section 704A(g) and (h))

## SUBPART W: ESTIMATED TAX PAYMENTS

- Section
- 100.8000 Payment of Estimated Tax (IITA Section 803)
- 100.8010 Failure to Pay Estimated Tax (IITA Sections 804 and 806)

## SUBPART X: COLLECTION AUTHORITY

- Section
- 100.9000 General Income Tax Procedures (IITA Section 901)
- 100.9010 Collection Authority (IITA Section 901)
- 100.9020 Child Support Collection (IITA Section 901)

## SUBPART Y: NOTICE AND DEMAND

- Section
- 100.9100 Notice and Demand (IITA Section 902)

## SUBPART Z: ASSESSMENT

- Section
- 100.9200 Assessment (IITA Section 903)

## DEPARTMENT OF REVENUE

## NOTICE OF PROPOSED AMENDMENTS

100.9210 Waiver of Restrictions on Assessment (IITA Section 907)

## SUBPART AA: DEFICIENCIES AND OVERPAYMENTS

## Section

100.9300 Deficiencies and Overpayments (IITA Section 904)  
100.9310 Application of Tax Payments Within Unitary Business Groups (IITA Section 603)  
100.9320 Limitations on Notices of Deficiency (IITA Section 905)  
100.9330 Further Notices of Deficiency Restricted (IITA Section 906)

## SUBPART BB: CREDITS AND REFUNDS

## Section

100.9400 Credits and Refunds (IITA Section 909)  
100.9410 Limitations on Claims for Refund (IITA Section 911)  
100.9420 Recovery of Erroneous Refund (IITA Section 912)

## SUBPART CC: INVESTIGATIONS AND HEARINGS

## Section

100.9500 Access to Books and Records (IITA Section 913)  
100.9505 Access to Books and Records – 60-Day Letters (IITA Section 913) (Repealed)  
100.9510 Taxpayer Representation and Practice Requirements  
100.9520 Conduct of Investigations and Hearings (IITA Section 914)  
100.9530 Books and Records

## SUBPART DD: JUDICIAL REVIEW

## Section

100.9600 Administrative Review Law (IITA Section 1201)

## SUBPART EE: DEFINITIONS

## Section

100.9700 Unitary Business Group Defined (IITA Section 1501)  
100.9710 Financial Organizations (IITA Section 1501)  
100.9720 Nexus  
100.9730 Investment Partnerships (IITA Section 1501(a)(11.5))  
100.9750 Corporation, Subchapter S Corporation, Partnership and Trust Defined (IITA

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Section 1501)

## SUBPART FF: LETTER RULING PROCEDURES

Section  
100.9800 Letter Ruling Procedures

## SUBPART GG: MISCELLANEOUS

Section  
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].

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;

## DEPARTMENT OF REVENUE

## NOTICE OF PROPOSED AMENDMENTS

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 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,

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## NOTICE OF PROPOSED AMENDMENTS

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; recodified at 38 Ill. Reg. 4527; amended at 38 Ill. Reg. 9550, effective April 21, 2014; amended at 38 Ill. Reg. 13941, effective June 19, 2014; amended at 38 Ill. Reg. 15994, effective July 9, 2014; amended at 38 Ill. Reg. 17043, effective July 23, 2014; amended at 38 Ill. Reg. 18568, effective August 20, 2014; amended at 38 Ill. Reg. 23158, effective November 21, 2014; emergency amendment at 39 Ill. Reg. 483, effective December 23, 2014, for a maximum of 150 days; amended at 39 Ill. Reg. 1768, effective January 7, 2015; amended at 39 Ill. Reg. 5057, effective March 17, 2015; amended at 39 Ill. Reg. 6884, effective April 29, 2015; amended at 39 Ill. Reg. 15594, effective November 18, 2015; amended at 40 Ill. Reg. 1848, effective January 5, 2016; amended at 40 Ill. Reg. 10925, effective July 29, 2016; amended at 40 Ill. Reg. 13432, effective September 7, 2016; amended at 40 Ill. Reg. 14762, effective October 12, 2016; amended at 40 Ill. Reg. 15575, effective November 2, 2016; amended at 41 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.

## SUBPART V: EMPLOYER'S RETURN AND PAYMENT OF TAX WITHHELD

**Section 100.7310 Returns Filed and Payments Made on Annual Basis (IITA Sections 704 and 704A)**

- a) With respect to taxes withheld or required to be withheld prior to January 1, 2008:
  - 1) In general. Effective January 1, 2005, if an employer had no obligation to deduct and withhold Illinois income tax in the previous calendar year or if the amount of tax deducted and withheld during the previous calendar year was less than \$500 and, in either case, the amount that will be deducted and withheld in the current calendar year will be less than \$500, the employer may file an annual return for the current calendar year or for any

## DEPARTMENT OF REVENUE

## NOTICE OF PROPOSED AMENDMENTS

period for which a return is made as a final return. No application need be made to file an annual return. The return filed for such period shall report the amount of tax deducted and withheld during the period and not previously remitted. Form IL-941 is prescribed for making the return authorized under this subsection (a). An employer shall use Form W-3 to submit the information contained on the combined Form W-2, in the same manner as required under Section 100.7300.

- 2) Duration of annual filing status. Authority to file a return pursuant to this Section shall remain in effect until that time during any calendar year when the amount of tax deducted and withheld equals or exceeds \$500. When, during any calendar year, the amount deducted and withheld equals or exceeds \$500, an employer must file a quarterly return, as required under Section 100.7300(a), for the quarter in which that event occurs and for all subsequent quarters until the requirements of subsection (a)(1) are again met by the employer.
- b) With respect to any calendar year beginning on or after January 1, 2008 and ending prior to January 1, 2012:
- 1) An employer who has timely filed all returns due under IITA Sections 704 or 704A during the look-back period for a calendar year, reporting on those returns a total liability of \$1,000 or less, and who timely paid the amounts reported, may file a single annual return for that calendar year and pay the tax required to be withheld during that calendar year when that return is due. An employer who was not required to file returns during the look-back period is not eligible under this subsection (b)(1) to make annual filings or payments. (See IITA Section 704A(d)(1).)
  - 2) Any employer that is eligible to make an annual filing and payment for a calendar year under subsection (b)(1) and who withholds or is required to withhold more than \$12,000 in any quarter of that year must:
    - A) make a quarterly return for that quarter, reporting and paying all amounts withheld or required to be withheld during the year through the end of that quarter with that return;

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- B) make a quarterly return for each subsequent quarter of that calendar year and for each quarter of the following calendar year; and
  - C) make semi-weekly payments of taxes withheld or required to be withheld during the remaining quarters of that calendar year and during the following calendar year. (See IITA Section 704A(c)(2).)
- 3) An employer that is eligible to make an annual filing and payment under subsection (b)(1) for any calendar year after 2008 may elect to file quarterly returns under Section 100.7300(a) and make monthly payments under Section 100.7300(d)(2) by filing a return for any quarter of that year. Payment of all amounts withheld or required to be withheld through the end of that quarter shall be due with the filing of that return, and the employer shall be required to make monthly payments and quarterly returns for the remainder of that year, unless Section 100.7300(d)(1)(B) requires semi-weekly payments.
- c) With respect to any calendar year beginning on or after January 1, 2012 and ending prior to January 1, 2017:
- 1) An employer who has timely filed all returns due under IITA Section 704A during the look-back period for a calendar year, reporting on those returns a total liability of \$12,000 or less, and who timely paid the amounts reported, may file a single annual return for that calendar year. An employer who was not required to file returns during the look-back period is not eligible under this subsection (c)(1) to make annual filings. (See IITA Section 704A(d)(1).)
  - 2) An employer who is allowed to file an annual return for a calendar year under subsection (c)(1) and who reported a total liability of \$1,000 or less on returns filed during the look-back period for that year may pay the tax required to be withheld during that calendar year when that return is due. (See IITA Section 704A(d)(1).)
  - 3) Any employer who is eligible to make an annual filing for a calendar year under subsection (c)(1) and who withholds or is required to withhold more than \$12,000 in any quarter of that year must:

## DEPARTMENT OF REVENUE

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- A) make a quarterly return for that quarter, reporting and paying all amounts withheld or required to be withheld during the year through the end of that quarter with that return;
  - B) make a quarterly return for each subsequent quarter of that calendar year and for each quarter of the following calendar year; and
  - C) make semi-weekly payments of taxes withheld or required to be withheld during the remaining quarters of that calendar year and during the following calendar year. (See IITA Section 704A(c)(2).)
- 4) An employer who is eligible to make an annual filing under subsection (c)(1) for any calendar year after 2011 may elect to file quarterly returns under Section 100.7300(a) by filing a return for any quarter of that year. Payment of all amounts withheld or required to be withheld through the end of that quarter shall be due with the filing of that return, and the employer shall be required to make monthly payments and file quarterly returns for the remainder of that year, unless Section 100.7300(d)(1)(B) requires semi-weekly payments.
- 5) An employer who is eligible to make an annual payment under subsection (c)(2) for any calendar year after 2011 may make payments during that calendar year and, unless an election to file quarterly returns is made under subsection (c)(4) for that year, file an annual return for that year.

d) [With respect to any calendar year beginning on or after January 1, 2017, no annual filings or payments made on an annual basis are permitted, except as provided in Section 100.7350.](#)

(Source: Amended at 41 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

**Section 100.7325 Time for Filing Returns and Making Payments for Taxes Required to Be Withheld On or After January 1, 2008 (IITA Section 704A)**

- a) Quarterly return. Each return required under Section 100.7300(a) shall be filed on or before the last day of the first calendar month following the calendar quarter for which the return is made. (See IITA Section 704A(b).)

## DEPARTMENT OF REVENUE

## NOTICE OF PROPOSED AMENDMENTS

- b) Monthly payments. Monthly payments required under Section 100.7300(d)(2) are due on or before the 15<sup>th</sup> day of the month following the month in which the tax was withheld or required to be withheld. (See IITA Section 704A(c)(3).)
- c) Semi-weekly payments.
- 1) Semi-weekly payments required under Section 100.7300(d)(1) or 100.7310(b)(2)(B) are due:
    - A) on or before each Friday of the calendar year, for taxes withheld or required to be withheld on the immediately preceding Saturday, Sunday, Monday or Tuesday;
    - B) on or before each Wednesday of the calendar year, for taxes withheld or required to be withheld on the immediately preceding Wednesday, Thursday or Friday. (See IITA Section 704A(c)(1).)
  - 2) If a payment due on a Friday or Wednesday under this subsection (c) would include amounts withheld in two different quarters, a separate payment must be made for the amounts withheld in each quarter.
  - 3) Under 26 CFR 31.6302-1(c)(2)(iii), semi-weekly depositors are given at least three banking days following the close of the semi-weekly period by which to deposit taxes during the semi-weekly period. Thus, if any of the three weekdays following the close of a semi-weekly period is a holiday on which banks are closed, the employer has an additional banking day by which to make the required deposit. For example, if the Monday following the close of a Wednesday to Friday semi-weekly period is a holiday on which banks are closed, the required deposit for the semi-weekly period may be made by the following Thursday rather than the following Wednesday. Under IITA Section 704A(d)(2), the Department may provide by regulation that any payment due under this subsection (c) *is deemed to be timely to the extent paid by electronic funds transfer on or before the due date for deposit of federal income taxes withheld from, or federal employment taxes due with respect to, the wages from which the Illinois taxes were withheld.* Accordingly, employers making electronic payments of taxes withheld may use the due dates prescribed in 26 CFR 31.6302-1(c)(2)(iii).

## DEPARTMENT OF REVENUE

## NOTICE OF PROPOSED AMENDMENTS

- 4) *Beginning with calendar year 2011, semi-weekly payments required under Section 100.7300(d)(1) must be made by electronic funds transfer. (IITA Section 704A(c)(1))*
- d) Annual returns. Annual returns are due on or before:
  - 1) January 31 of the year following the calendar year for which the return is made, in the case of an annual return under Section 100.7310(b)(1) (See IITA Section 704A(d)(1).); or
  - 2) the 15<sup>th</sup> day of the 4<sup>th</sup> month following the close of the taxpayer's tax year, in the case of an annual return under Section 100.7350. (See IITA Section 704A(e).)
  - 3) Except as provided in Section 100.7350, annual filings are not permitted for calendar years beginning on or after January 1, 2017.

(Source: Amended at 41 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## ILLINOIS COMMERCE COMMISSION

## NOTICE OF ADOPTED AMENDMENT

- 1) Heading of the Part: Submission of Rate Case Testimony
- 2) Code Citation: 83 Ill. Adm. Code 286
- 3) Section Number: 286.20                      Adopted Action: Amendment
- 4) Statutory Authority: Implementing Section 9-201 and authorized by Section 10-101 of the Public Utilities Act [220 ILCS 5/9-201 and 10-101].
- 5) Effective Date of Rule: December 9, 2016
- 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 Commission's Springfield office and is available for public inspection.
- 9) Notice of Proposal published in the *Illinois Register*: 40 Ill. Reg. 5157; March 25, 2016
- 10) Has JCAR issued a Statement of Objection to this rulemaking? No
- 11) Differences between Proposal and Final Version: No substantive changes have been made.
- 12) Have all the changes agreed upon by the Agency and JCAR been made as indicated in the agreement letter issued by JCAR? None were made.
- 13) Does 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: The amendment reduces, from "a minimum of seven copies" to "one electronic copy," the number of copies of testimony and exhibits that public utilities must file with Commission Staff when the companies propose general rate changes, and in other situations in which the requirements of the rule are invoked. The amendment makes clear that the materials should be submitted in an electronic format and not on paper.

ILLINOIS COMMERCE COMMISSION

NOTICE OF ADOPTED AMENDMENT

- 16) Questions or requests for information about this adopted rule shall be directed to:

Brian W. Allen  
Office of General Counsel  
Illinois Commerce Commission  
527 East Capitol Avenue  
Springfield IL 62701

217/558-2387

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

## ILLINOIS COMMERCE COMMISSION

## NOTICE OF ADOPTED AMENDMENT

TITLE 83: PUBLIC UTILITIES  
CHAPTER I: ILLINOIS COMMERCE COMMISSION  
SUBCHAPTER b: PROVISIONS APPLICABLE TO MORE  
THAN ONE KIND OF UTILITY

PART 286  
SUBMISSION OF RATE CASE TESTIMONY

Section	
286.10	Applicability
286.20	Submission of Prepared Testimony
286.30	Schedules and Work Papers Required to Support the Utility's Revised Revenue Requirement
286.40	Work Papers Supporting the Testimony of Parties Other Than the Utility

AUTHORITY: Implementing Section 9-201 and authorized by Section 10-101 of the Public Utilities Act [220 ILCS 5/9-201 and 10-101].

SOURCE: Adopted at 27 Ill. Reg. 12374, effective August 1, 2003; amended at 40 Ill. Reg. 16200, effective December 9, 2016.

**Section 286.20 Submission of Prepared Testimony**

- a) Direct ~~Testimony~~testimony.
- 1) Utilities shall, at the time of filing tariffs for a base rate increase, file the prepared direct testimony of any witnesses and any exhibits in support of the utility's proposed tariffs.
  - 2) For each project listed in 83 Ill. Adm. Code 285.6100(a), the utility's direct testimony shall include at least the following information that the utility relied upon to support its conclusion that its investment in the project is both prudent and used and useful in providing utility service:
    - A) A description of all reports, studies, forecasts, documentation, or other factors that the utility relied upon to support its conclusion; and

## ILLINOIS COMMERCE COMMISSION

## NOTICE OF ADOPTED AMENDMENT

- B) A description of the manner in which the utility's use of the described reports, studies, forecasts, documentation or other factors in planning, constructing or operating the projects supports the utility's conclusion.
- 3) The utility shall also submit ~~one electronic copy~~ ~~a minimum of seven copies~~ of the testimony and exhibits to the Director of the Financial Analysis Division or any successor division of the Illinois Commerce Commission (Commission) at the time of filing.
- b) Supplemental direct testimony. Submission of direct testimony shall not preclude submission of supplemental direct testimony with good cause shown. In determining whether good cause has been shown, the Commission shall consider, among other things, the degree to which the information that is the subject of the supplemental direct testimony was not known to the utility at the time direct testimony was filed, and the degree to which facts have changed due to circumstances beyond the control of the utility.
- c) Nothing in this Section shall be construed as limiting:
- 1) Updates to the rate of return on rate base during the rebuttal phase of the rate proceeding;
  - 2) Updates or adjustments pursuant to 83 Ill. Adm. Code 287; or
  - 3) The submission of post record data pursuant to 83 Ill. Adm. Code 200.875.
- d) Nothing in this Section shall be construed to limit the submission of corrections of mistakes or inadvertent omissions, provided no party is prejudiced by that submission.

(Source: Amended at 40 Ill. Reg. 16200, effective December 9, 2016)

## DEPARTMENT OF PUBLIC HEALTH

## NOTICE OF ADOPTED AMENDMENTS

- 1) Heading of the Part: Regional Poison Control Center Code
- 2) Code Citation: 77 Ill. Adm. Code 215
- 3) 

<u>Section Numbers</u> :	<u>Adopted Actions</u> :
215.150	New Section
215.200	Amendment
215.300	Amendment
215.400	Amendment
215.800	Amendment
215.Appendix A	Repealed
- 4) Statutory Authority: Poison Control System Act [410 ILCS 47]
- 5) Effective Date of Rules: December 9, 2016
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this rulemaking contain incorporations by reference? Yes
- 8) A copy of the adopted rules, including any material incorporated by reference, is on file in the Agency's principal office and is available for public inspection.
- 9) Notice of Proposed published in the *Illinois Register*: 40 Ill. Reg. 11115; August 19, 2016
- 10) Has JCAR issued a State of Objection to this rulemaking? No
- 11) Differences between Proposed and Final Version: No changes were made in response to public comment or to comments from JCAR.
- 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 made.
- 13) Will this rulemaking replace an emergency rule currently in effect? No
- 14) Are there any rulemakings pending on this Part? No

## DEPARTMENT OF PUBLIC HEALTH

## NOTICE OF ADOPTED AMENDMENTS

- 15) Summary and Purpose of Rulemaking: This rulemaking seeks to update the Regional Poison Control Center Code with respect to the number of poison centers that can be designated by the Director, remove the requirements of a poison control center to coordinate with EMS Systems to assure that all ALS vehicles are equipped with poison antidotes and have 2-way communication with EMS vehicles, and change the membership of the advisory committee.
- 16) Information and questions regarding these adopted rules shall be directed to:

Elizabeth Paton  
Assistant General Counsel  
Division of Legal Services  
Illinois Department of Public Health  
535 W. Jefferson St., 5th floor  
Springfield IL 62761

217/782-2043  
e-mail: [dph.rules@illinois.gov](mailto:dph.rules@illinois.gov)

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

## DEPARTMENT OF PUBLIC HEALTH

## NOTICE OF ADOPTED AMENDMENTS

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

PART 215  
REGIONAL POISON CONTROL CENTER CODE

## Section

215.100	Definitions
<a href="#">215.150</a>	<a href="#">Incorporated and Referenced Material</a>
215.200	Rights and Obligations of Regional Poison Control Centers
215.300	Application for Designation as a Regional Poison Control Center
215.400	Operation of a Regional Poison Control Center
215.500	Staffing
215.600	Quarterly Data Submission
215.700	Misrepresentation
215.800	Advisory Committee

215.APPENDIX A American Association of Poison Control Centers' Criteria for Certification as a Regional Poison Center ([Repealed](#))

AUTHORITY: Implementing and authorized by the Poison Control System Act [410 ILCS 47].

SOURCE: Adopted at 23 Ill. Reg. 4446, effective April 15, 1999; amended at 40 Ill. Reg. 16204, effective December 9, 2016.

**[Section 215.150 Incorporated and Referenced Material](#)**

a) [The following materials are incorporated in this Part:](#)

[Accreditation of Poison Control Centers 2014 standards, which may be obtained from the American Association of Poison Control Centers \(AAPCC\), 515 King Street, Suite 510, Alexandria VA 22314. AAPCC can be contacted at 703-894-1859 or emailed at info@aapcc.org.](#)

b) [State of Illinois statutes referenced in this Part:](#)

1) [Emergency Medical Services Systems Act \[210 ILCS 50\]](#)

## DEPARTMENT OF PUBLIC HEALTH

## NOTICE OF ADOPTED AMENDMENTS

- 2) [Hospital Licensing Act \[210 ILCS 85\]](#)
  - 3) [Pharmacy Practice Act \[225 ILCS 85\]](#)
  - 4) [Medical Practice Act of 1987 \[225 ILCS 60\]](#)
  - 5) [Nurse Practice Act \[225 ILCS 65\]](#)
  - 6) [State Employee Indemnification Act \[5 ILCS 350\]](#)
- c) [All incorporations by reference of standards of nationally recognized organizations refer to the regulations and standards on the date specified and do not include any amendments or editions subsequent to the date specified.](#)

(Source: Added at 40 Ill. Reg. 16204, effective December 9, 2016)

**Section 215.200 Rights and Obligations of Regional Poison Control Centers**

- a) *The Director or his [or her](#) designee shall designate at least ~~one~~ and no more than three Regional Poison Control Centers.* (Section 15 of the Act)
- b) Human poison control centers wishing to be designated as a Regional Poison Control Center shall submit an application in accordance with Section 215.300.
- c) If there are more than three applicants for designation as a Regional Poison Control Center or there is more than one applicant for the same geographic service area, the Director shall consider the following criteria in selecting an applicant for designation:
  - 1) Whether the applicant has previously served as a Department-approved Regional Poison Control Center ~~prior to January 1, 1993~~;
  - 2) Whether the applicant is affiliated with a medical school, school of nursing, [school of pharmacy](#) or other health care professional teaching program; ~~and~~
  - 3) How quickly the applicant can establish [24 hours](#) operations in [full compliance with the American Association of Poison Control Centers' Accreditation of Poison Control Centers standards](#) ~~Criteria for Certification~~

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~~as a Regional Poison Center (Appendix A of this Part) and the requirements of this Part; and-~~

- 4) The applicant's prior experience in providing poison control consultation services.
- d) Applicants shall be notified, in writing, if they have or have not been designated as a Regional Poison Control Center.
- e) Regional Poison Control Centers shall comply with the American Association of Poison Control Centers' Accreditation of Poison Control Centers standards~~Criteria for Certification as a Regional Poison Center (Appendix A of this Part)~~ *within two years after designation unless the Center has been granted an extension by the Department.* (Section 15 of the Act) The extension shall be provided in writing.
  - 1) The Department's decision to grant an extension shall be based on, but not limited to, the following circumstances:
    - A) The applicant has experienced hardship~~difficulty~~ in hiring staff, for reasons other than level of compensation; or
    - B) The applicant is waiting until designation to appoint a Medical or Managing Director, ~~and needs six months to fill the position;~~
  - 2) An application for an extension shall contain the following information:
    - A) A description of how the applicant has attempted to comply with this Section;
    - B) The reasons for noncompliance;
    - C) A detailed plan for achieving compliance. The detailed plan shall include specific timetables;
    - D) The period of time for which the extension is being sought; and
    - E) An explanation of how the extension will not reduce the quality of poison control services provided by the applicant.~~The applicant is waiting to establish a toll free telephone number and conduct~~

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~~community outreach activities to promote public awareness of the toll-free telephone number.~~

- f) *A Regional Poison Control Center shall maintain its designation unless it voluntarily closes, giving the Department at least a 90-day prior written notice of the intent to close, or the Department revokes or suspends the designation, in writing, for the Center's failure to comply with the Act and this Part. (Section 15 of the Act) Proceedings to revoke or suspend a Center's designation shall be conducted in accordance with the Department's Rules of Practice and Procedure in Administrative Hearings (77 Ill. Adm. Code 100).*
- g) *Poison Control Centers shall cooperate to reduce the cost of operations, collect information on poisoning exposures, and provide education to the public and health professionals. (Section 15 of the Act)*
- h) *Regional Poison Control Centers shall be considered State agencies for purposes of the State Employee Indemnification Act [5 ILCS 350]. (Section 15 of the Act)*
- i) Poison Control Centers shall create and then maintain all business, patient contact and financial records for no less than four years. All records shall be available to the Department for inspection or copying during normal business hours upon request. Information specific to any particular patient or caller shall be considered strictly confidential and shall not be subject to FOIA or otherwise released to the public.

(Source: Amended at 40 Ill. Reg. 16204, effective December 9, 2016)

**Section 215.300 Application for Designation as a Regional Poison Control Center**

- a) The applicant may be a hospital licensed by the Department, or a non-hospital-based entity that has an agreement with a hospital licensed by the Department to provide clinical expertise.
- b) All applicants shall submit a written program plan to the Department that includes a description of the geographic area to be served by the proposed Regional Poison Control Center and the following information about the licensed hospital:
- 1) Hospital name and address;

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- 2) Number of adult intensive care beds;
  - 3) Number of pediatric intensive care beds;
  - 4) Number of medical/surgical beds;
  - 5) Laboratory capabilities;
  - 6) Psychiatric service capabilities;
  - 7) Renal dialysis capabilities;
  - 8) Affiliation with a medical school, school of nursing, [school of pharmacy](#) or other health care professional teaching program (see Section 215.200(c)(2) of this Part); and
  - 9) Location of the applicant in relation to the proposed geographic service area.
- c) All applicants shall submit a written application to the Department documenting detailed information on the methods and time frames for complying with Section 215.500 of this Part if designation is granted, including the following information:
- 1) Name and qualifications of the proposed Poison Center's Medical Director;
  - 2) Availability of a comprehensive poison information resource file, in accordance with Section 215.400(b);
  - 3) Adequately trained and supervised poison information specialists, in accordance with Section 215.500(b); [and](#)
  - 4) Toll-free telephone number that does not impose a direct fee to members of the public and health care providers calling for poison information; ~~and~~
  - 5) ~~Coordination with each EMS System to assure that all ALS vehicles are equipped with some poison antidotes.~~

(Source: Amended at 40 Ill. Reg. 16204, effective December 9, 2016)

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**Section 215.400 Operation of a Regional Poison Control Center**

- a) The Center shall be in operation and have toll-free telephone availability on a 24-hour-a-day, 365-days-a-year basis to both the general public and health care providers.
- b) The Center staff shall have immediate access during all hours of operation to comprehensive poison information, which shall include:
  - 1) Current toxicology information resources available at the telephone answering site;
  - 2) A comprehensive set of ~~referencetexts~~ covering both general and specific aspects of acute poison management, available at the telephone answering site;
  - 3) Primary information resources (reprint files, systems, etc.) and access to a major medical library and/or information system; and
  - 4) Poison specialty consultants available on an on-call basis.
- c) The Center shall have written management protocols for responding to calls that provide a consistent ~~pre-hospital~~ approach to evaluation and treatment of toxic exposures and that are approved by the Center's Managing Director and Medical Director. These protocols shall be followed ~~and, shall~~ be available at the telephone answering site, ~~and shall include direction on follow-up, including written and oral poison prevention information.~~
- d) The Center shall have a health education component that includes, at a minimum:
  - 1) Instruction in prevention, care, and management of poisonings for health care professionals, ~~which may include EMS personnel, nurses, pharmacists, physicians and other providers; including coordination with the EMS Medical Directors of each EMS System to assure that all EMTs are trained in initial poison management;~~
  - 2) Outreach education for the general public concerning poison prevention and first response; and

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- 3) Cooperation with medical toxicology fellowship programs.
- e) ~~The Center shall have two-way communication capabilities with ambulances and other BLS or ALS vehicles in the service area (e.g., cellular telephone capability).~~
- ef) The Center shall have a data management system that is kept current and:
  - 1) Maintains patient confidentiality;
  - 2) Provides a sufficient narrative to allow for peer review and medical and legal audit; and
  - 3) Collects data elements to allow for prompt filing of quarterly reports in accordance with Section 215.600.
- fg) The Center shall provide services to all patients regardless of ability to pay or source of payment.

(Source: Amended at 40 Ill. Reg. 16204, effective December 9, 2016)

**Section 215.800 Advisory Committee**

- a) The Director of Public Health shall appoint an advisory committee ~~that, which~~ shall advise the Department concerning the regulation of Regional Poison Control Centers under the Poison Control System Act.
- b) The composition of the advisory committee shall be as follows:
  - 1) Two board-certified toxicologists;
  - 2) Three emergency department physicians, one of whom is an EMS Medical Director and one of whom is a pediatric emergency physician;
  - 3) An EMS Coordinator;
  - 4) A pharmacist;
  - 5) A consumer;

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- 6) A representative of the Illinois Department of Healthcare and Family Services~~Public Aid~~;
  - 7) The chief of the Department's~~Department's~~ Division of Emergency Medical Services and Highway Safety;
  - 8) A representative from a health care professional society~~hospital administrator~~; ~~and~~
  - 9) The Managing Director of a Regional Poison Control Center; ~~and~~
  - 10) The Medical Director of a Regional Poison Control Center.
- c) The Department shall provide travel expenses to the advisory committee members pursuant to State travel rules (80 Ill. Adm. Code 2800 and 3000).

(Source: Amended at 40 Ill. Reg. 16204, effective December 9, 2016)

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**Section 215.APPENDIX A American Association of Poison Control Centers' Criteria for Certification as a Regional Poison Center (Repealed)****Introduction**

The purpose of this document is to establish criteria by which poison centers can be recognized as possessing the qualities needed to adequately serve a significant population. Poison centers function primarily to provide poison information, telephone management and consultation, collect pertinent data, and deliver professional and public education. Poison treatment facilities function primarily to provide medical control for pre-hospital emergency medical services and to deliver health care to poisoned patients. Cooperation between Regional Poison Centers and poison treatment facilities is a key feature of any poison center program and is essential for achieving the ultimate goal of optimal health care for the poisoned patient.

**I. Determination of Region**

- A. Geographical characteristics.** A Regional Poison Center may serve a single state, a multi-state area, or only a portion of a state. The region should be determined by state authorities in conjunction with local health agencies and health care providers. In instances where multiple states are involved, designation from each state will be necessary. Documentation of state designations must be in writing and must clearly delineate the region to be served, the services to be provided, and the exclusivity of the designation. In instances where a state declines in writing to designate any poison center, designation by other political or health jurisdictions (e.g., county, health district) may be an acceptable alternative. In instances where more than one center is designated to serve the same area, evidence of cooperative arrangements must be provided.
- B. Population base.** In the absence of compelling reasons to the contrary, a Regional Poison Center program should serve a population base of no fewer than one million people. It is unlikely that a single Regional Poison Center could adequately serve more than 10 million people. The center must provide evidence that it adequately serves its entire region. In addition, the center must receive at least 10,000 human exposure calls per year.

**H. Regional Poison Information Service**

- A. The Regional Poison Center shall provide information 24 hours/day, 365 days/year to both health professionals and the public.** This criterion will be

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~~considered to be met if the center has at least one specialist in poison information in the center at all times, sufficient additional staff to promptly handle the center's incoming calls and the availability of the Medical Director or qualified designee, on-call by telephone, at all times.~~

- B. ~~The Regional Poison Center shall be readily accessible by telephone from all areas within the region.~~** This criterion will be considered to be met if the center has a direct incoming telephone system that is extensively publicized throughout the region to both health professionals and the public. The center must maintain sufficient telephone lines to assure ready access. In the absence of a toll-free system, the center must demonstrate that the lack of a toll-free service is not an impediment to public use of the center.
- C. ~~The Regional Poison Center shall maintain comprehensive poison information resources.~~** This criterion will be considered to be met if the center maintains:
- ~~1. One or more comprehensive toxicology information resources, immediately available at the central telephone answering site.~~
  - ~~2. Current comprehensive texts covering both general and specific aspects of acute and chronic poisoning management immediately available at the central telephone answering site.~~
  - ~~3. Primary information resources and ready availability of a major medical library.~~
  - ~~4. A list of poison center specialty consultants who are available on an on-call basis (see II.E.5. below).~~
- D. ~~The Regional Poison Center shall maintain written operational guidelines that provide a consistent approach to evaluation and management of toxic exposures.~~** This criterion will be considered to be met if the center provides written operational guidelines that include but are not limited to the follow-up of all potentially toxic exposures and appropriate criteria for patient disposition. These guidelines must be available in the center at all times and must be approved in writing by the Medical Director of the program.
- E. ~~Staff qualifications for the Regional Poison Center.~~**

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1. **Medical Director.** ~~The Medical Director shall be board certified or board eligible in medical toxicology. The Medical Director must have a medical staff appointment at a comprehensive poison treatment facility and must be involved in the management of poisoned patients. The Medical Director should devote at least 50% of his/her professional activities to toxicology. In addition to clinical, academic teaching and research activities, the Medical Director must formally commit at least 10 hours per week to poison center operational activities involving staff training, development of medical guidelines and quality assurance activities.~~
2. **Managing Director.** ~~The Managing Director of a regional poison center must be a registered nurse, pharmacist, physician or hold a degree in a health science discipline. This individual may also be the Medical Director. This individual should be certified or eligible for certification by the American Board of Medical Toxicology for physicians or by the American Board of Applied Toxicology for non-physicians. In the absence of certification, the Managing Director must be able to demonstrate on going interest and expertise in toxicology as evidenced by publications, research and meeting attendance. The Managing Director must be able to clearly demonstrate full time commitment to poison center related activities, including the areas of clinical toxicology, education, research and administration.~~
3. **Specialists in poison information.** ~~Specialists in poison information must be registered nurses, pharmacists or physicians, or be currently certified by the Association as a specialist in poison information. Specialists in poison information must be qualified to understand and interpret standard poison information resources and to transmit that information in a logical, concise, and understandable way to both health professionals and the public. All specialists in poison information must complete a training program approved by the Medical Director and must be certified by the Association as a specialist in poison information within two examination administrations of their initial eligibility for the certification process. Specialists in poison information must spend an annual average of 16 hours per week in poison center related activities, including providing telephone consultation, teaching, or public education, or in poison center operations. All specialists in poison information, whether full time or part time, must be 100% dedicated to poison center~~

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~~activities during periods when they are assigned to the center.~~

4. ~~**Poison center specialty consultants.** Poison center specialty consultants should be qualified by training or experience to provide sophisticated toxicology or patient care information in their area(s) of expertise. These consultants should be available on call, with an expressed commitment to provide consultation services on an on-call, as needed basis. The list of consultants should reflect the type of poisonings encountered in the region.~~
  5. ~~**Administrative staff.** Poison center administrative personnel should be qualified by training and/or experience to supervise finances, operations, personnel, data analysis, and other administrative functions of the poison center.~~
  6. ~~**Education staff.**~~
    - a. ~~**Professional education.** Professional education personnel should be qualified by training or experience to provide quality professional education lectures or materials to health professionals. This role will be supervised by the Medical Director.~~
    - b. ~~**Public education.** Public education personnel should be qualified by training or experience to provide public-oriented poison center awareness, poison prevention and first aid for poisoning presentations. They must be capable of providing verbal presentations to public audiences, and have sufficient understanding of the material to accurately answer public questions. They may be full-time, part-time or volunteer staff.~~
- ~~**F. The Regional Poison Center shall have an ongoing quality assurance program.** This criterion will be considered to be met if the center has regularly scheduled staff inservices, morbidity and mortality conferences, case reviews and audits (such as chart, process or outcome audits).~~

### ~~III. Regional Treatment Capabilities~~

- A. ~~**The Regional Poison Center shall identify the treatment capabilities of the treatment facilities of the region.** As a minimum, Regional Poison Centers shall~~

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~~identify analytical toxicology, emergency and critical care, and extracorporeal capabilities within the region for adults and children.~~

- B. ~~The Regional Poison Center should have a working relationship with all poison treatment facilities in its region.~~**
- C. ~~The Regional Poison Center should understand the analytical toxicology services in its region and how to interface with them.~~**
- D. ~~The Regional Poison Center should understand how the region's prehospital transportation system is structured and how to interface with it.~~**

**IV. ~~Regional Data Collection System~~**

- A. ~~The Regional Poison Center shall keep records of all cases handled by the center in a form that is acceptable as a medical record.~~** This criterion will be considered to be met if the center completes a record that contains data elements and sufficient narrative to allow for peer review and medical and/or legal audit, and such records are kept on file in compliance with standards for hospital recordkeeping in the region.
- B. ~~The Regional Poison Center shall submit all its human exposure data to the Association's National Data Collection System meeting specified submission deadlines and quality requirements and including all required data elements.~~**
- C. ~~The Regional Poison Center shall tabulate its experience for regional program evaluation on at least an annual basis.~~** This criterion will be considered to be met if the center completes an annual report summarizing its own experience.

**V. ~~Professional and Public Education Programs~~**

- A. ~~The Regional Poison Center shall provide information on the management of poisoning to the health professionals throughout the region who care for poisoned patients.~~** This criterion will be considered to be met if the center continually offers information about poison center services/availability and updates on new and important advances in poisoning management to the health professionals throughout the region.

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**B.** ~~The Regional Poison Center shall provide a public education program aimed at educating both children and adults about poisoning dangers and other necessary concepts related to poison control.~~ This criterion will be considered to be met if the center continually offers through lectures, public media (newspapers, radio, television), printed educational materials, or through other instructional modalities, information describing the following:

1. ~~Services and availability of the poison center.~~
2. ~~Poison prevention measures.~~
3. ~~First aid measures for poisoning management.~~

~~This information must be offered to all parts of the region.~~

**~~VI. Association Membership~~**

~~The applicant center must be an institutional member in good standing of the American Association of Poison Control Centers.~~

(Source: Repealed at 40 Ill. Reg. 16204, effective December 9, 2016)

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- 1) Heading of the Part: Automated External Defibrillator Code
- 2) Code Citation: 77 Ill. Adm. Code 525
- 3) 

<u>Section Numbers:</u>	<u>Adopted Actions:</u>
525.200	Amendment
525.300	Amendment
- 4) Statutory Authority: Automated External Defibrillator Act [410 ILCS 4]
- 5) Effective Date of Rules: December 9, 2016
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this rulemaking contain incorporations by reference? Yes
- 8) A copy of the adopted rules, including any material incorporated by reference, is on file in the Agency's principal office and is available for public inspection.
- 9) Notice of Proposed published in the *Illinois Register*: 40 Ill. Reg. 11131; August 19, 2016
- 10) Has JCAR issued a State of Objection to this rulemaking? No
- 11) Differences between Proposed and Final Version: No changes were made in response to public comment or to comments from JCAR.
- 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 made.
- 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 rulemaking seeks to update the incorporated and references of this Part and clarify the requirements for submitting a complaint against a CPR course.
- 16) Information and questions regarding these adopted rules shall be directed to:

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF ADOPTED AMENDMENTS

Elizabeth Paton  
Assistant General Counsel  
Division of Legal Services  
Illinois Department of Public Health  
535 W. Jefferson St., 5th floor  
Springfield IL 62761

217/782-2043  
e-mail: [dph.rules@illinois.gov](mailto:dph.rules@illinois.gov)

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

## DEPARTMENT OF PUBLIC HEALTH

## NOTICE OF ADOPTED AMENDMENTS

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

PART 525  
AUTOMATED EXTERNAL DEFIBRILLATOR CODE

## Section

525.100	Definitions
525.200	Incorporated and Referenced Materials
525.300	<del>Recognized</del> <a href="#">Approval of</a> Training Programs
525.400	Recognition of Trained AED Users
525.500	Reports of AED Use
525.600	Maintenance and Oversight of Automated External Defibrillators
525.700	Quality Assurance (Repealed)

AUTHORITY: Implementing and authorized by the Automated External Defibrillator Act [410 ILCS 4].

SOURCE: Adopted at 24 Ill. Reg. 6409, effective April 1, 2000; amended at 26 Ill. Reg. 8914, effective June 21, 2002; amended at 35 Ill. Reg. 4213, effective February 22, 2011; amended at 40 Ill. Reg. 16220, effective December 9, 2016.

**Section 525.200 Incorporated and Referenced Materials**

- a) The following private and professional organization standards are incorporated in this Part:
- 1) American Heart Association  
~~2015~~[2005](#) AHA Guidelines for CPR and ECC  
208 South LaSalle St.  
Suite 900  
Chicago, Illinois 60604-1197
  - 2) American Red Cross  
American Red Cross First Aid/CPR/AED for the  
Workplace (2006)  
311 W. John Gwynn Avenue

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Peoria, Illinois 61605-2566

- b) All incorporations by reference of the standards of nationally recognized organizations refer to the standards on the date specified and do not include any additions or deletions subsequent to the date specified.
- c) The following statutes are referenced in this Part:
  - 1) Federal statutes:  
21 USC 360(k): Registration of producers of drugs or devices; report preceding introduction of devices into interstate commerce.
  - 2) State of Illinois statutes:
    - A) Emergency Medical Services (EMS) Systems Act [210 ILCS 50]
    - B) Medical Practice Act of 1987 [225 ILCS 60]
  - 3) State of Illinois rules:  
Emergency Medical Services, ~~and~~ Trauma Center, [Primary Stroke Center and Emergent Stroke Ready Hospital](#) Code (77 Ill. Adm. Code 515)

(Source: Amended at 40 Ill. Reg. 16220, effective December 9, 2016)

**Section 525.300 [Recognized Approval of Training Programs](#)**

The Department ~~will~~[shall](#) recognize programs established to train individuals as AED users, in accordance with the following:

- a) *The curriculum of any program to train individuals shall include complete training in cardiopulmonary resuscitation (CPR) prepared according to nationally recognized guidelines (see Section 525.200(a)(1) and(2)). (Section 15 of the Act)*
- b) The Instructors shall have successfully completed an instructor training course for AED courses listed in Section 525.200(a)(1) and (2) ~~of this Part~~, or equivalent curriculum that follows nationally recognized guidelines.
- c) Instructors shall renew qualification every two years and shall meet the following

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criteria:

- 1) Maintain provider status;
  - 2) Teach the number of courses required by the American Red Cross or American Heart Association, or other nationally recognized guidelines; and
  - 3) Complete an update on new information regarding course content.
- d) The Department recognizes courses that meet the course objectives of [the American Heart Association or American Red Cross](#) or other nationally recognized courses as appropriate training curriculum designed to train AED users.
- e) The Department will investigate any complaints against a course that allegedly does not adhere to the requirements set forth in this Section. Complaints shall be in writing and include the name, address and telephone number of the complainant. [The complaint must include the contact information of the accused course instructor or the business where the course was held.](#) Written complaints shall be submitted to the Illinois Department of Public Health at the following address:

Illinois Department of Public Health  
Division of EMS and Highway Safety  
422 South 5<sup>th</sup> Street, 3<sup>rd</sup> floor  
Springfield IL 62701

(Source: Amended at 40 Ill. Reg. 16220, effective December 9, 2016)

## DEPARTMENT OF REVENUE

## NOTICE OF ADOPTED AMENDMENTS

- 1) Heading of the Part: Real Estate Transfer Tax
- 2) Code Citation: 86 Ill. Adm. Code 120
- 3) 

<u>Section Numbers:</u>	<u>Adopted Actions:</u>
120.5	Amendment
120.10	Amendment
- 4) Statutory Authority: 35 ILCS 200/31-70
- 5) Effective Date of Rules: December 8, 2016
- 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 rules 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*: 40 Ill. Reg. 11235; August 26, 2016
- 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. Only grammatical and technical changes were made. 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: None were made.
- 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 rulemaking will detail the requirements for counties utilizing electronic revenue stamps or alternative indicia and for the use of the electronic reporting system.
- 16) Information and questions regarding these adopted rules shall be directed to:

DEPARTMENT OF REVENUE

NOTICE OF ADOPTED AMENDMENTS

Robin Gill  
Associate Counsel  
Legal Services Office  
Illinois Department of Revenue  
101 West Jefferson  
Springfield IL 62794

217/782-2844

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

## DEPARTMENT OF REVENUE

## NOTICE OF ADOPTED AMENDMENTS

TITLE 86: REVENUE  
CHAPTER I: DEPARTMENT OF REVENUEPART 120  
REAL ESTATE TRANSFER TAX

## Section

120.5	Transfer Declaration and Supplemental Information
120.10	Procedures for Revenue Stamp Sales to Counties
120.20	Legal and Technical Interpretations

**AUTHORITY:** Implementing and authorized by the Real Estate Transfer Tax Law [35 ILCS 200/Art. 31].

**SOURCE:** Filed and effective August 26, 1971; codified at 8 Ill. Reg. 11465; amended at 9 Ill. Reg. 7938, effective May 14, 1985; amended at 18 Ill. Reg. 12849, effective August 9, 1994; amended by emergency rulemaking at 23 Ill. Reg. 14765, effective December 9, 1999, for a maximum of 150 days; emergency expired May 6, 2000; amended at 24 Ill. Reg. 8607, effective June 9, 2000; emergency amendment at 28 Ill. Reg. 7608, effective June 1, 2004, for a maximum of 150 days; amended at 28 Ill. Reg. 14155, effective October 13, 2004; amended at 40 Ill. Reg. 16225, effective December 8, 2016.

**Section 120.5 Transfer Declaration and Supplemental Information**

- a) Prior to June 1, 2004, at the time a deed or trust document is presented for recordation or registration, a transfer declaration and supplemental information, if applicable, shall be prepared as required by the Department in a manner consistent with the requirements of subsection (c) and submitted to the recorder of deeds or registrar of titles of the county in which the property is situated, under Section 31-25 of the Property Tax Code [35 ILCS 200/31-25]. No transfer declaration or supplemental information is required to be prepared and submitted to the recorder of deeds or registrar of titles if the transfer qualifies for an exemption under [Section 31-45](#) subsection (a), (b) (but only for transfers in which the [Secretary of the U.S. Department of Veterans Affairs \(VA Secretary\) Administrator of Veterans' Affairs of the United States](#) is the grantee pursuant to a foreclosure proceeding), (c), (d), (e), (f), (g), (h), (i), (j), or (l) of [Section 31-45](#) of the Property Tax Code [~~35 ILCS 200/31-45(a)-(j), or (l)~~], but a notation of exempt status must appear on the face of the deed or trust document. If the transfer qualifies for an exemption under [Section 31-45](#) subsection (b) (for

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all transfers except those in which the ~~VA Secretary~~Administrator of Veterans' Affairs of the United States is the grantee pursuant to a foreclosure proceeding), (k), or (m) ~~of Section 31-45~~ of the Property Tax Code ~~[35 ILCS 200/31-45(b), (k), or (m)]~~, a transfer declaration and supplemental information, if applicable, shall be prepared and submitted to the recorder of deeds or registrar of titles.

- b) On and after June 1, 2004, at the time a deed or document relating to the transfer of a taxable beneficial interest under Article 31 of the Property Tax Code ~~[35 ILCS 200/Art. 31]~~ is presented for recordation or registration, or within three business days after a transfer is effected in the event a transferring document is not presented for recordation or registration, a transfer declaration and supplemental information, if applicable, shall be prepared as required by the Department in a manner consistent with the requirements of subsection (c) and submitted to the recorder or registrar of titles of the county in which the property is situated, under Section 31-25 of the Property Tax Code ~~[35 ILCS 200/31-25]~~. However, preparation of a second transfer declaration or supplemental information shall not be required in the event any such unrecorded transferring document is subsequently presented for recordation or registration unless the transferor cannot prove prior payment of the tax for the transaction. No transfer declaration or supplemental information is required to be prepared and submitted to the recorder of deeds or registrar of titles if the transfer qualifies for an exemption under ~~Section 31-45 subsection~~ (a), (b) (but only for transfers in which the ~~VA Secretary~~Administrator of Veterans' Affairs of the United States is the grantee pursuant to a foreclosure proceeding), (c), (d), (e), (f), (g), (h), (i), (j), or (l) ~~of Section 31-45~~ of the Property Tax Code ~~[35 ILCS 200/31-45(a) (j), or (l)]~~, but a notation of exempt status must appear on the face of the transferring document. If the transfer qualifies for an exemption under ~~Section 31-45 subsection~~ (b) (for all transfers except those in which the ~~VA Secretary~~Administrator of Veterans' Affairs of the United States is the grantee pursuant to a foreclosure proceeding), (k), or (m) ~~of Section 31-45~~ or Section 31-46 of the Property Tax Code ~~[35 ILCS 200/31-45(b), (k), or (m) or 31-46]~~, a transfer declaration and supplemental information, if applicable, shall be prepared and submitted to the recorder of deeds or registrar of titles.
- c) A transfer declaration and supplemental information shall be prepared using paper versions of forms or electronically-produced paper versions thereof approved by the Department as follows:
- 1) Preparation procedures:

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- A) Paper versions of forms shall be available at the office of the recorder of deeds or registrar of titles in every county. These forms shall be supplied by the Department to the recorder of deeds and registrar of titles.
  - B) All applicable questions on the forms shall be answered completely and the forms shall be signed by the transferee and transferor, or their agents, and the preparer.
  - C) If a transfer declaration and all supplemental information, if applicable, is not prepared and submitted, or is prepared and submitted without all applicable questions being answered completely and the transfer declaration being properly signed, the recorder of deeds or registrar of titles shall not sell Revenue Stamps or record or register the transferring document.
- 2) Transfer declarations:
- A) For transfers prior to January 1, 2000, if a transfer declaration was prepared prior to January 1, 2000, Form No. PTAX-203, Real Estate Transfer Declaration (a four-page document with a green first page and with a (R-4/94) designation in the lower left corner of the first page), or the appropriate predecessor version in effect at the time of transfer, shall be prepared and submitted.
  - B) For transfers prior to January 1, 2000, if a transfer declaration was not prepared prior to January 1, 2000, Form No. PTAX-203, Illinois Real Estate Transfer Declaration (a white two-page document with a (R-8/99) designation in the lower left corner of the first page), or the appropriate succeeding version in effect at the time of transfer, shall be prepared and submitted.
  - C) For transfers on and after January 1, 2000, Form No. PTAX-203, Illinois Real Estate Transfer Declaration (a white two-page document with a (R-8/99) designation in the lower left corner of the first page), or the appropriate succeeding version in effect at the time of transfer, shall be prepared and submitted.

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- D) If multiple deeds or trust documents are used to transfer real estate or beneficial interests in real property, a transfer declaration shall be prepared and submitted for each transferring document reflecting the particular interest being transferred.
  - E) If a transfer affects an interest in real estate that is located in more than one county, separate transfer declarations shall be prepared and submitted in each county. Each transfer declaration shall list the prorated full actual consideration for the particular interest in the real estate being transferred in the county. The proration is to be made in such a manner so that the total of the prorated full actual consideration listed on each transfer declaration equals the full actual consideration for the transfer.
  - F) If there is an exchange of real estate, a separate transfer declaration shall be prepared and submitted for each transferring document.
  - G) For purposes of this Section, "transfer" means execution of the transferring document.
- 3) Supplemental information:
- A) For transfers prior to January 1, 2000, if a transfer declaration was prepared prior to January 1, 2000, "supplemental information" includes, if applicable, an extended legal description accompanying Form No. PTAX-203, Real Estate Transfer Declaration (a four-page document with a green first page and with a (R-4/94) designation in the lower left corner of the first page), or the appropriate predecessor version in effect at the time of transfer.
  - B) For transfers on and after January 1, 2000 and prior to June 1, 2004 if a transfer declaration was prepared prior to June 1, 2004, and transfers prior to January 1, 2000 if a transfer declaration was not prepared prior to January 1, 2000, "supplemental information" includes, if applicable, an extended legal description, an itemized list of personal property, a finance schedule for sales occurring during a period in which the Department is required to adjust sales prices for seller paid points and prevailing cost of cash under Section 17-10 of the Property Tax Code, and Form No. PTAX-

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203-A, Illinois Real Estate Transfer Declaration Supplemental Form A. Supplemental information shall accompany Form No. PTAX-203, Illinois Real Estate Transfer Declaration (a white two-page document with a (R-8/99) designation in the lower left corner of the first page), or the appropriate succeeding version in effect at the time of transfer.

- C) For transfers on and after June 1, 2004, and transfers on and after January 1, 2000 and prior to June 1, 2004 if a transfer declaration was not prepared prior to June 1, 2004, "supplemental information" includes, if applicable, an extended legal description, an itemized list of personal property, a finance schedule for sales occurring during a period in which the Department is required to adjust sales prices for seller paid points and prevailing cost of cash under Section 17-10 of the Property Tax Code, Form No. PTAX-203-A, Illinois Real Estate Transfer Declaration Supplemental Form A, and Form No. PTAX-203-B, Illinois Real Estate Transfer Declaration Supplemental Form B. Supplemental information shall accompany Form No. PTAX-203, Illinois Real Estate Transfer Declaration (a white two-page document with a (R-7/00) designation in the lower left corner of the first page), or the appropriate succeeding version in effect at the time of transfer.
- D) Form No. PTAX-203-A, Illinois Real Estate Transfer Declaration Supplemental Form A (a white one-page document with a (N-9/99) designation in the lower left corner of the first page), or the appropriate succeeding version in effect at the time of transfer, shall be prepared and submitted if the transfer involves nonresidential property for which the full actual consideration is over \$1 million. In this context only, nonresidential property includes all property except: vacant land or lots, residences and apartment buildings of 6 units or fewer (e.g., single family, condominium, townhome, or duplex), mobile home residences, and farmland.
- E) Form No. PTAX-203-B, Illinois Real Estate Transfer Declaration Supplemental Form B (a white one-page document with a (N-5/04) designation in the lower left corner of the first page), or the appropriate succeeding version in effect at the time of transfer,

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shall be prepared and submitted if the transfer involves the lessee interest in a ground lease (including any interest of the lessee in the related improvements) that provides for a term of 30 or more years when all options to renew or extend are included, whether or not any portion of the term has expired, or the indirect interest in real property as reflected by a controlling interest in a real estate entity, or any other type of interest with the right to use or occupy real property or the right to receive income from real property under Section 120.20(a)(2)(D).

- 4) Electronically-produced forms:
  - A) For transfers on and after January 1, 2000, electronically-produced versions of forms may be prepared on the internet Web site of the Department and printed on the preparer's printer. Forms submitted to the recorder of deeds or registrar of titles using this technology must conform to the content, edit, format, and reproduction specifications of the Department.
  - B) For transfers on and after January 1, 2000, electronically-produced versions of forms may be prepared from other software programs for which the Department has tested and approved the output and printed on the preparer's printer. Forms submitted to the recorder of deeds or registrar of titles using this technology for which the Department has tested and approved the output must conform to the content, edit, format, and reproduction specifications of the Department. Electronically-produced versions of forms shall not be submitted to the recorder of deeds or registrar of titles if, without prior written approval of the Department, the software programs used to produce the forms have been revised in any manner since the time the Department tested and approved the output.
- d) Forms for the transfer declaration and supplemental information, as well as specifications and output testing requirements for electronically-produced versions, may be revised by the Department in its discretion.
- e) The Department may enter into a written agreement with the governing authority of a county to authorize the chief county assessment officer to electronically

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transmit data from the transfer declarations and supplemental information, if applicable, to the Department as required by Sections 31-30 and 31-70 of the Property Tax Code ~~{35 ILCS 200/31-30 and 31-70}~~. Entry into such an agreement by the Department is contingent upon the use of compatible computer transmission methods and software by a county, the accuracy of the formatted electronic data from the transfer declarations and any supplemental information, and the adequacy of resources at the Department. The chief county assessment officer shall continue to submit the paper versions of the transfer declarations and any supplemental information until such time as the Department determines in its discretion that submission in this manner is no longer necessary.

- f) Recorders of deeds or registrars of titles using an electronic Revenue Stamp or alternative indicia using the Department of Revenue's electronic reporting system or an approved interface with the Department of Revenue shall file a return generated by the Department of Revenue's electronic reporting system or an approved interface with the Department of Revenue. This return is to be filed and paid via ACH credit with the Department of Revenue on or before the 10<sup>th</sup> day of the month following the month in which the tax was required to be collected.
- 1) The return shall be generated from the Department of Revenue's electronic reporting system and/or through the approved interface with a recorder of deeds' or registrar of titles' electronic software system and shall include the following detail: county name; account ID; license number; declaration IDs; stamp serial numbers; and stamp values.
  - 2) The recorder of deeds or registrar of titles shall work with personnel within the county to produce a parcel identification number file and shall provide it to the Department of Revenue in the required file layout. The detail contained within the parcel identification number file is used in the process to validate that an electronic Revenue Stamp is properly issued.
  - 3) When the recorder of deeds or registrar of titles interfaces with the Department of Revenue's electronic reporting system utilizing a software system, the following detail is to be provided: the parcel identification number of the property being transferred in the real estate sales transaction; the document number used to record the real estate sales transaction; and the net consideration that was received by the seller in the real estate sales transaction.

## DEPARTMENT OF REVENUE

## NOTICE OF ADOPTED AMENDMENTS

(Source: Amended at 40 Ill. Reg. 16225, effective December 8, 2016)

**Section 120.10 Procedures for Revenue Stamp Sales to Counties**

- a) The Department of Revenue shall issue Revenue Stamps resembling postage-type stamps in the denominations of \$0.25 to \$50,000.
- b) Recorders of deeds and registrars of titles are hereby authorized to dispense Revenue Stamps by single stamp imprints produced by approved stamping machines. Meter settings for stamping machines shall be set by the Department of Revenue.
- c) Sales of postage-type stamps will be conducted at the Department of Revenue in Springfield only. Meter settings for single stamp imprints produced by approved stamping machines will be conducted at the Department of Revenue's distribution centers in Chicago, Springfield, and District Offices.
- d) The Department of Revenue provides two options for purchasing Revenue Stamps:
  - 1) Option 1 – State Tax Only:

Option 1 represents State tax only. Revenue Stamps and meter settings are purchased at full value and affixed at the rate of \$.50 per \$500 value or fraction thereof.
  - 2) Option 2 – State/County Tax:

Option 2 represents payment of State and county tax. Revenue Stamps and meter settings are purchased at 66 $\frac{2}{3}$ % of face value and affixed at the rate of \$.75 per \$500 value or fraction thereof. Revenue Stamps are coded with the county name. On and after June 1, 2004, the recorder shall write or stamp in indelible ink or perforate using a machine or punch to mark Revenue Stamps or any transferring document that is recorded so as to denote any instances in which a transfer is not subject to the county tax.
  - 3) Any county wishing to change from the option it originally selected must request approval from the Department of Revenue at least 30 days prior to the desired effective date of the change.

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- 4) Electronic Revenue Stamp or Alternative Indicia  
Recorders of deeds or registrars of titles using an electronic Revenue Stamp or alternative indicia to issue Revenue Stamps electronically, when the Department of Revenue is reimbursed on a monthly basis, shall utilize the Department of Revenue's electronic reporting system or an approved interface with the Department of Revenue.
- e) Purchases of postage-type stamps and meter settings for single stamp imprints shall be made on an order-invoice form prescribed by the Department of Revenue, which shall be signed by an authorized county official.
- f) The order-invoice form shall be accompanied by an official check that shall be signed by an authorized county official and that shall be in full payment of the invoice amount.
- g) A claim form prescribed by the Department of Revenue shall be used by the recorder of deeds or the registrar of titles to request credit for Revenue Stamps that can be proven to have been mistakenly issued or mutilated or that otherwise result from a stamping machine malfunction, and shall be used as credit at the time of stamp purchases or meter settings.
- h) The credit claim form and required proof must accompany the order-invoice form if credit is to be allowed.
- i) All forms issued pursuant to this Part may be obtained from the Department of Revenue distribution center in Springfield.

(Source: Amended at 40 Ill. Reg. 16225, effective December 8, 2016)

## SEX OFFENDER MANAGEMENT BOARD

## NOTICE OF ADOPTED REPEALER

- 1) Heading of the Part: Adult Sex Offender Evaluation and Treatment
- 2) Code Citation: 20 Ill. Adm. Code 1905
- 3) 

<u>Section Numbers:</u>	<u>Adopted Actions:</u>
1905.10	Repealed
1905.20	Repealed
1905.30	Repealed
1905.40	Repealed
1905.50	Repealed
1905.60	Repealed
1905.70	Repealed
1905.80	Repealed
1905.100	Repealed
1905.110	Repealed
1905.120	Repealed
1905.130	Repealed
1905.140	Repealed
1905.200	Repealed
1905.210	Repealed
1905.220	Repealed
1905.230	Repealed
1905.240	Repealed
1905.250	Repealed
1905.300	Repealed
1905.310	Repealed
1905.320	Repealed
- 4) Statutory Authority: Authorized by 20 ILCS 4026/15 and implementing 725 ILCS 205/8; 725 ILCS 207/10(c)(2), 25(e), 30(c), 40(b)(1), 55(b), 60(c), and 65(a)(2); and 730 ILCS 5/3-3-7(a)(7.5), 3-6-2(j) and (k), 3-9-7(b), 5-3-2(b-5), 5-6-3(a)(8.5) and 5-7-1(f-5)
- 5) Effective Date of Repealer: January 1, 2017
- 6) Does this repealer contain an automatic repeal date? No
- 7) Does this repealer contain incorporations by reference? No

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## NOTICE OF ADOPTED REPEALER

- 8) A copy of the adopted repealer, 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*: 40 Ill. Reg. 10366; August 5, 2016
- 10) Has JCAR issued a Statement of Objection to this repealer? 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? None were made.
- 13) Will this repealer replace an emergency rule currently in effect? No
- 14) Are there any other rulemakings pending on this Part? No
- 15) Summary and Purpose of Repealer: Part 1905 is being repealed in its entirety to propose a new Part, which will bring the standards and guidelines for sex offender treatment up to date with national best practices.
- 16) Information and questions regarding the adopted repealer shall be directed to:

Alyssa Williams-Schafer, Chair  
Sex Offender Management Board  
1301 Concordia Court  
P. O. Box 19277  
Springfield IL 62794-9277

217/558-2200  
Alyssa.Williams-Schafer@doc.illinois.gov

Or

Echo Beekman, Rules Coordinator  
Illinois Department of Corrections  
1301 Concordia Court  
P. O. Box 19277  
Springfield IL 62794-9277

SEX OFFENDER MANAGEMENT BOARD

NOTICE OF ADOPTED REPEALER

217/558-2200

[echo.beekman@doc.illinois.gov](mailto:echo.beekman@doc.illinois.gov)

## SEX OFFENDER MANAGEMENT BOARD

## NOTICE OF ADOPTED RULES

- 1) Heading of the Part: Adult Sex Offender Evaluation and Treatment
- 2) Code Citation: 20 Ill. Adm. Code 1905
- 3) 

<u>Section Numbers:</u>	<u>Adopted Actions:</u>
1905.10	New Section
1905.20	New Section
1905.30	New Section
1905.40	New Section
1905.50	New Section
1905.60	New Section
1905.70	New Section
1905.80	New Section
1905.90	New Section
1905.100	New Section
1905.110	New Section
1905.120	New Section
1905.130	New Section
1905.140	New Section
1905.150	New Section
- 4) Statutory Authority: Authorized by 20 ILCS 4026/15 and implementing 725 ILCS 205/8; 725 ILCS 207/10(c)(2), 25(e), 30(c), 40(b)(1), 55(b), 60(c), and 65(a)(2); and 730 ILCS 5/3-3-7(a)(7.5), 3-6-2(j) and (k), 3-9-7(b), 5-3-2(b-5), 5-6-3(a)(8.5) and 5-7-1(f-5)
- 5) Effective Date of Rules: January 1, 2017
- 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 rules, 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*: 40 Ill. Reg. 10408; August 5, 2016
- 10) Has JCAR issued a Statement of Objection to this rulemaking? No
- 11) Differences between Proposal and Final Version: Grammatical changes only

## SEX OFFENDER MANAGEMENT BOARD

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- 12) Have all the changes agreed upon by the Agency and JCAR been made as indicated in the agreements issued by JCAR? Yes
- 13) Will this rulemaking replace an emergency rule currently in effect? No
- 14) Are there any rulemakings pending on this Part? Repealer for 20 Ill. Adm. Code 1905 original language – JCAR has issued a Certificate of No Objections.
- 15) Summary and Purpose of Rulemaking: The new Part replaces existing Part 1905 to update the requirements for sex offender treatment providers including that licensing shall be provided through the IL Department of Professional Regulation and to bring the standards and guidelines for treatment and evaluation of sex offenders up to date with national best practices in accordance with the standards set forth by the Association for Treatment of Sexual Abusers.
- 16) Information and questions regarding the adopted rules shall be directed to:

Alyssa Williams-Schafer, Chair  
Sex Offender Management Board  
1301 Concordia Court  
P. O. Box 19277  
Springfield IL 62794-9277

217/558-2200  
Alyssa.Williams-Schafer@doc.illinois.gov

Or

Echo Beekman, Rules Coordinator  
Illinois Department of Corrections  
1301 Concordia Court  
P. O. Box 19277  
Springfield IL 62794-9277

217/558-2200  
echo.beekman@doc.illinois.gov

SEX OFFENDER MANAGEMENT BOARD

NOTICE OF ADOPTED RULES

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

## SEX OFFENDER MANAGEMENT BOARD

## NOTICE OF ADOPTED RULES

TITLE 20: CORRECTIONS, CRIMINAL JUSTICE, AND LAW ENFORCEMENT  
CHAPTER VII: SEX OFFENDER MANAGEMENT BOARDPART 1905  
ADULT SEX OFFENDER EVALUATION AND TREATMENT

## SUBPART A: GENERAL

Section	
1905.10	Purpose and Scope
1905.20	Definitions

## SUBPART B: STANDARDS OF PRACTICE

1905.30	Provider Qualifications
1905.40	Assessments
1905.50	Assessment Guidelines
1905.60	Risk Assessment
1905.70	Psychophysiological Assessments
1905.80	Treatment Interventions
1905.90	Treatment Guidelines
1905.100	Treatment Methods
1905.110	Treatment Progress and Completion
1905.120	Responsivity Factors and Special Populations
1905.130	Risk Reduction and Risk Management in the Community
1905.140	Pharmacological Interventions
1905.150	Psychophysiological Tools

**AUTHORITY:** Authorized by Section 15 of the Sex Offender Management Board Act [20 ILCS 4026/15] and implementing Sections 15 through 18 of the Act; Section 8 of the Sexually Dangerous Persons Act [725 ILCS 205/8]; Sections 10(c)(2), 25(e), 30(c), 40(b)(1), 55(b), 60(c) and 65(a)(2) and (b)(2) of the Sexually Violent Persons Commitment Act [725 ILCS 207/10(c)(2), 25(e), 30(c), 40(b)(1), 55(b), 60(c), and 65(a)(2) and (b)(2)]; and Sections 3-3-7(a)(7.5), 3-6-2(j) and (k), 3-9-7(b), 5-3-2(b-5), 5-6-3(a)(8.5) and 5-7-1(f-5) of the Unified Code of Corrections [730 ILCS 5/3-3-7(a)(7.5), 3-6-2(j) and (k), 3-9-7(b), 5-3-2(b-5), 5-6-3(a)(8.5) and 5-7-1(f-5)].

**SOURCE:** Adopted by emergency rulemaking at 28 Ill. Reg. 8300, effective May 27, 2004, for a maximum of 150 days; emergency expired October 23, 2004; adopted at 29 Ill. Reg. 1973,

## SEX OFFENDER MANAGEMENT BOARD

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effective January 24, 2005; amended at 29 Ill. Reg. 12273, effective July 25, 2005; amended at 33 Ill. Reg. 13405, effective September 10, 2009; former Part repealed at 40 Ill. Reg. 16236 and new Part adopted at 40 Ill. Reg. 16239, effective January 1, 2017.

## SUBPART A: GENERAL

**Section 1905.10 Purpose and Scope**

Effective January 1, 2004, the Sex Offender Management Board Act [20 ILCS 4026] and various other statutes provide for the evaluation and/or treatment of convicted sex offenders, in conformance with standards adopted by the Sex Offender Management Board. It establishes standards for conducting evaluations of, and providing treatment to, adult sex offenders in all circumstances in which conformance with Board standards is required.

**Section 1905.20 Definitions**

In this Part, the terms "Board", "sex offender", "sex offense", "management", and "sexually motivated" have the meanings ascribed to them in Section 10 of the Act. In addition, the following definitions apply:

"Act": Sex Offender Management Board Act [20 ILCS 4026].

"Case management": The coordination and implementation of the cluster of activities directed toward supervising, treating and managing the behavior of individual sex offenders.

"Evaluation": The systematic collection and analysis of psychological, behavioral and social information; the process by which information is gathered, analyzed and documented.

"Informed assent": Compliance; a declaration of willingness to do something in compliance with a request; acquiescence; agreement. The use of the term "assent" rather than "consent" in this Part recognizes that sex offenders are not voluntary clients and that their choices are therefore more limited. "Informed" means that a person's assent is based on a full disclosure of the facts needed to make the decision intelligently; e.g., knowledge of risks involved, alternatives.

"Informed consent": "Consent" means voluntary agreement or approval to do something in compliance with a request. "Informed" means that a person's

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consent is based on a full disclosure of the facts needed to make the decision intelligently; e.g., knowledge of risks involved, alternatives.

"Parole": Parole or mandatory supervised release.

"Polygraph": The employment of instrumentation, as defined by the Illinois Detection of Deception Examiners Act [225 ILCS 430], used for the purpose of detecting deception or verifying truth of statements of a person under criminal justice supervision and/or treatment for the commission of sex offenses. A clinical polygraph examination is specifically intended to assist in the treatment and supervision of convicted sex offenders. Clinical polygraphs include specific-issue, disclosure and periodic or maintenance examinations. Clinical polygraphs may also be referred to as post-conviction polygraphs.

"Professional license": A license issued by a State governmental body to practice a particular health or mental health profession.

"Sex offense specific": Relating to the problem of sexual offense behavior.

"Supervising officer": The probation officer, parole agent or conditional release staff responsible for the behavioral monitoring of sex offenders. In addition, any person employed by the Department of Human Services (DHS) or by an entity that contracted with DHS to supervise sexually violent persons on conditional release.

"Treatment": Sexual abuser-specific treatment is designed to assist clients with effectively managing thoughts, fantasies, feelings, attitudes and behaviors associated with their potential to sexually abuse or their risk for sexual re-offense and to develop a prosocial lifestyle that is inconsistent with offending.

## SUBPART B: STANDARDS OF PRACTICE

**Section 1905.30 Provider Qualifications**

Only individuals licensed as Sex Offender Therapists, Sex Offender Evaluators or Associate Providers by the Illinois Department of Professional and Financial Regulation (DFPR) are approved to conduct the evaluation and treatment services described in the following Sections.

**Section 1905.40 Assessments**

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- a) Licensed evaluators conduct sexual abuser-specific assessments to promote informed decision making among stakeholders who share responsibility for treatment, risk management and other domains of intervention. Empirically informed and reliable sexual abuser-specific assessments can be used, for example, to inform:
  - 1) Sentencing and other legal decisions;
  - 2) Treatment planning and progress;
  - 3) Release decision making;
  - 4) Transition and reentry planning; and
  - 5) Supervision and other case management planning.
- b) Sexual abuser-specific assessments are most reliable and beneficial when evaluators adhere to ethical practice, incorporate multiple sources of information, use research-supported methodologies, and strive to engage clients in the assessment process. Furthermore, these assessments are most effective for guiding decision making, maximizing public safety, and promoting successful client outcomes when conducted within the evidence-based risk, need and responsivity framework.
- c) Because risk, needs and other circumstances change over time, assessments of sexual abusers are ongoing processes, not a single event. Research-informed tools that include dynamic risk factors specific to adult sexual abusers are important for obtaining a more accurate understanding of the current risk and intervention needs of a given individual and for informing adjustments to interventions accordingly.

**Section 1905.50 Assessment Guidelines**

- a) Licensed evaluators shall conduct objective, impartial and reliable sexual abuser-specific assessments that support well-informed decision making and maintain the credibility and integrity of the profession.

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- 1) Evaluators conduct sexual abuser-specific assessments in accordance with any additional ethical standards, codes, laws or other expectations for the respective profession or discipline of practice. This includes ethical standards pertaining to, but not limited to, the following:
  - A) Informed consent;
  - B) Specialized training, knowledge, expertise and scope of practice;
  - C) Documentation and retention of records;
  - D) Currency of research;
  - E) Confidentiality;
  - F) Professional relationships; and
  - G) Conduct.
- 2) Evaluators:
  - A) explore and disclose any conflicts of interest or other issues that may interfere with their ability to provide an objective, fair and impartial assessment; and
  - B) refer the potential client to another clinician or agency if the assessment process and findings will be compromised by those factors.
- 3) Evaluators conducting sexual abuser-specific assessments:
  - A) acknowledge and attempt to address any personal biases or assumptions they may have based on age, race, gender identity, sexual orientation, faith practices, cultural differences, socioeconomic differences, education, language, level of intellectual functioning, and mental or physical disability; and

## SEX OFFENDER MANAGEMENT BOARD

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- B) refer the potential client to another clinician or agency if the assessment process and findings will be compromised by those factors.
- 4) Evaluators take into account the client's current legal status (e.g., no legal status; preadjudication, pretrial psychiatric hold; presentencing, civil commitment referral; parole hearing; revocation) and the ways in which that status may influence the nature of scope of the sexual abuser-specific assessment.
- 5) Evaluators take reasonable steps to:
- A) afford the client who is the subject of the assessment (and/or legal guardian) the opportunity to make an informed decision about participating in the assessment process; and
  - B) document those efforts in the report. These steps include, but are not limited to the following:
    - i) Explaining the nature and purposes of the assessment;
    - ii) Outlining potential benefits, risks and limitations of the assessment procedures that will be used;
    - iii) Highlighting the potential benefits and impact of participating or declining to participate;
    - iv) Specifying limits on confidentiality, such as persons or entities to whom the findings will be provided and the circumstances under which information may otherwise be released; and
    - v) Responding to questions posed by the client regarding the assessment process.
- 6) Evaluators:
- A) inform clients of the evaluator's responsibilities vis-à-vis the client and the request for the evaluation; and

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- B) ensure that clients understand that the evaluation may still proceed without their consent.
- 7) Evaluators recognize the potential for disclosures of previously undetected sexually abusive behaviors, work closely with other system stakeholders to establish protocols for the fair, ethical and responsible handling of the disclosures, and ensure the client understands the evaluator's duty to disclose as required by law.
  - 8) Evaluators take reasonable steps to ensure that assessments of sexual abusers are current when that information will be used to inform case management decisions, such as sentencing, civil commitment, release, treatment and supervision.
  - 9) Evaluators take reasonable steps to clearly articulate the specific rationale for all conclusions and recommendations provided in a given assessment, using language that is readily understandable to the consumers of the assessment, including the client.
  - 10) Evaluators consider community safety and the degree to which the client is capable of and willing to manage his or her sexual behavior when making recommendations in the assessments.
- b) Evaluators shall clarify with the requestor and subject the specific purposes for which an assessment is being conducted and shall document accordingly.
    - 1) Evaluators conduct sexual abuser-specific assessments primarily for the following purposes:
      - A) Understanding the nature and extent of a client's sexually abusive behavior;
      - B) Exploring criminogenic and other needs that should be the focus of treatment and other interventions;
      - C) Estimating short- and long-term recidivism risk, both sexual and nonsexual;

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- D) Identifying specific responsivity factors; and/or
  - E) Obtaining baseline information about a client against which progress and other changes can be gauged.
- 2) Evaluators recognize that sexual abuser-specific assessments are not designed or reliable for, and should not be conducted for, the following purposes:
- A) Substantiating or refuting allegations that are the focus of a criminal, civil, child custody or other investigation;
  - B) Exploring the veracity or motivations of an alleged victim's statements;
  - C) Guiding law enforcement, prosecutorial or charging determinations;
  - D) Suggesting the existence of a predetermined profile of a sexual abuser against which an individual can be compared to determine fact; or
  - E) Addressing or alluding to a client's potential guilt or innocence, or otherwise speaking to issues that are within the purview of a trier-of-fact.
- 3) Evaluators collaborate with other stakeholders involved in risk reduction, risk management and prevention efforts to promote the appropriate and effective use of assessment data to inform case management decisions with sexual abusers.
- 4) Evaluators take steps to educate other stakeholders, including the public, regarding the appropriate purposes, potential misuses, strengths and limitations pertaining to the assessment of sexual abusers.
- c) Evaluators shall utilize assessment measures, instruments and procedures that are appropriate for addressing the specific goals of the assessment, for the purposes for which the tools were designed, and for the client being assessed.

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- 1) Evaluators shall be familiar with the psychometric properties of the assessment measures to be used, including reliability and validity, and favor well-accepted instruments that are supported by empirical research.
- 2) Evaluators shall use instruments and methods for which they are appropriately trained, follow recommended administration protocols for all assessment measures utilized, and offer statements of findings that are limited to the capabilities of these methodologies.
- 3) Evaluators recognize that assessment instruments developed for and used with adult sexual abusers may not be appropriately normed, valid or reliable for use with other subpopulations of sexually abusive clients.
- 4) Evaluators shall select the most reliable, valid and appropriate assessment instruments and procedures given the client's age, gender, culture, language, developmental and intellectual functioning, and other unique characteristics.
- 5) Evaluators who are unable to communicate fluently with a client shall refer the client to another qualified professional who is able to communicate fluently with that client. A professional interpreter may be used with the client's permission, provided that confidentiality agreements are in place. Evaluators shall note within their assessments if an interpreter is utilized.
- 6) Evaluators who conduct assessments on special subpopulations of sexually abusive clients possess specialized knowledge, obtained through focused training, regarding these subpopulations.
- 7) Evaluators assess/screen clients for acute mental or behavioral health needs that may require intervention prior to initiating assessments or interventions specific to sexually abusive behavior and, if necessary, refer clients to other professionals who are qualified to provide these services. The impact of those mental health or behavioral needs on the assessment procedures or findings should be noted in the evaluator's report.
- 8) Evaluators strive to meet the special needs of clients with developmental, learning or physical impairments during assessments (e.g., using taped versions of questionnaires, modifying terminology/language on self-report

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instruments). Reasons and the rationale for using alternative testing methods should be documented in the report, and it should be noted that these special accommodations may have an impact on the reliability and validity of instruments that are typically self-administered.

- 9) Evaluators should note in the report any limitations or biases related to using instruments or procedures that were not developed to take into account a client's age, race, gender identity, sexual orientation, faith practice, cultural background, socioeconomic status, education, language or level of intellectual functioning.
- d) Evaluators shall recognize that conducting psychosexual evaluations provides a critical opportunity to gain comprehensive understanding of the client's circumstances, risk, intervention needs and responsivity factors; engage the client in the assessment and overall intervention process; and offer reliable data to inform decision making.
  - 1) Evaluators rely on multiple sources of information when conducting a psychosexual evaluation, preferably to include the following:
    - A) Client interviews;
    - B) Interviews with collateral informants, as applicable (e.g., family, intimate partner/spouse);
    - C) Thorough review of official documents (e.g., police reports, victim impact statements, criminal justice records, previous assessment and treatment records, presentence or social services investigations);
    - D) Empirically grounded general psychometric testing (e.g., intellectual, diagnostic);
    - E) Empirically grounded strategies to estimate risk of sexual and/or nonsexual recidivism; and
    - F) When professional judgement dictates:

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- i) Empirically grounded instruments designed to measure broad sexual, as well as offense-related, attitudes and interests;
  - ii) Empirically grounded, objective psychophysiological measures of sexual arousal, interests and/or preferences.
- 2) Evaluators identify, document and explain the implications of specific responsivity factors, which include, but are not limited to, the following:
  - A) Age;
  - B) Culture;
  - C) Psychosocial and emotional development;
  - D) Level of adaptive functioning;
  - E) Neuropsychological, cognitive and learning impairments;
  - F) Language or communication barriers;
  - G) Acute psychiatric symptoms;
  - H) Denial; and
  - I) Level of motivation.
- 3) Evaluators interact with clients in ways that are designed to promote engagement, decrease resistance, and foster internal motivation throughout the assessment process.
- 4) Evaluators explore and incorporate the client's own perspectives, interests and goals when interviewing and assessing the client.
- 5) Evaluators take reasonable steps to employ communication methods that take into account specific responsivity factors such as culture, developmental level, and intellectual functioning.

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- 6) Evaluators recognize that the varying reasons for which a client presents for a psychosexual evaluation may impact the client's demeanor during the interview.
- 7) Evaluators seek to obtain a range of general background information about the client, including, but not limited to, the following:
  - A) Developmental history (e.g., family dynamics, exposure to violence, maltreatment);
  - B) Nature and quality of past and current relationships (e.g., family, peers, intimate partners);
  - C) Medical and mental health history (i.e., client and family);
  - D) Intelligence, cognitive functioning and level of maturity;
  - E) Education and employment history;
  - F) Antisocial orientation (e.g., antisocial attitudes and values, psychopathy, antecedents of juvenile delinquency, adult criminal history, violence or aggression); and
  - G) History of substance use and abuse.
- 8) Evaluators collect information regarding sexual history information that includes, but is not limited to, the following:
  - A) Psychosexual development, early sexual experience, and history of age-appropriate, consensual sexual relationships;
  - B) Nature and frequency of sexual practices (e.g., masturbation, nonabusive and nondeviant sexual behaviors, unconventional or risky sexual activities);
  - C) Paraphilic interests, fantasies and behaviors that may not be sexually abusive (e.g., fetishes, masochism);

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- D) Use of sexually oriented services or outlets (e.g., magazines, internet access, telephone sex lines, adult establishments);
  - E) Abusive or offense-related sexual arousal, interests and preferences;
  - F) History of sexually abusive behaviors, both officially documented and unreported (if identified through credible records or sources);
  - G) Information about current and/or previous victims (e.g., age, gender, relationship to client);
  - H) Contextual elements of sexually abusive behaviors (e.g., dynamics, motivators, patterns, circumstances); and
  - I) Level of insight, self-disclosure and denial (e.g., of the behaviors, motivations or intent, level of violence and coercion) relative to various aspects of the sexually abusive behavior.
- 9) Evaluators explore and document a client's strengths, assets and protective factors, which may include, but are not limited to, the following areas:
- A) Prosocial community supports and influences, and others involved in care and treatment;
  - B) Structure and support that promote maintaining success (e.g., limited access to potential victims);
  - C) Healthy, age-appropriate, normative, long-term intimate and sexual relationships;
  - D) Motivation to change;
  - E) Insight, understanding and management of risk factors;
  - F) Appropriate problem-solving and emotional management skills; and
  - G) Employment, financial and residential stability.

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- e) Potential Involvement of Adult Victims in the Evaluation Process
- 1) If a victim expresses an interest in having his or her perspectives represented by actively participating in the evaluation process of the sexual abuser, the evaluator shall adhere to certain parameters.
    - A) The evaluator should never initiate contact with a victim. The victim should be the first to initiate any type of contact.
    - B) The evaluator shall inform the victim of the process through which the victim may provide either a written or oral statement regarding the offense. The victim should be made aware that he or she may have someone with him or her, such as a victim's advocate, to provide support.
    - C) With expressed consent of the victim, the evaluator may consult with victim advocates, when involved, and consider alternate methods of incorporating the perspectives of the victims (e.g., written victim impact statements).
    - D) The evaluator shall exercise caution if interviewing victims because of potential risk of unintended impact on the victims.
    - E) The evaluator shall interview victims only when possessing the requisite knowledge, experience, skills and training to work with sexual abuse victims.
    - F) The victim may opt to provide a statement at any time.
- f) The Written Report
- 1) In the psychosexual evaluation report, evaluators outline the full range of information sources used to conduct the psychosexual evaluation, note any relevant information sources that were unavailable at the time of the evaluation, and highlight the potential implications of any data limitations on the conclusions and recommendations contained in the report.

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- 2) Evaluators provide an addendum to the psychosexual evaluation report when additional key information is received about the client that significantly impacts the initial findings, conclusions and recommendations.
- 3) Evaluators document areas of convergence and/or divergence among the client's self-report, collateral information, and other sources of assessment data, including objective behavioral or psychophysiological assessment measures.
- 4) Evaluators clearly articulate conclusions and recommendations based on supporting evidence documented in the body of the report, and that generally address the following (as relevant to the purpose of the assessment):
  - A) Recidivism risk (sexual and nonsexual);
  - B) General and offense-related criminogenic needs;
  - C) Responsivity factors;
  - D) Other intervention needs;
  - E) Current stressors;
  - F) Client-identified goals and interests;
  - G) Implications of the client's strengths and assets;
  - H) Potential risk management strategies that may be important for other stakeholders to consider (e.g., potential targets for community supervision); and
  - I) Recommended interventions that support the application of the risk, need and responsivity principles for the client and that sufficiently take into account victim and community safety.
- 5) Evaluators note in the psychosexual evaluation report any recommended interventions or services that are unavailable due to limitations of existing

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resources, while recognizing that the absence of existing resources does not lessen the evaluator's responsibility for providing assessment-driven recommendations.

- 6) Evaluators recognize that communicating the results to the subject of the evaluation may be beneficial (e.g., for clarity, to facilitate client engagement, to gauge the subject's response to feedback) and take reasonable steps, using language at a level that is accessible to the individual being assessed, to:
  - A) inform the subject of the conclusions and recommendations contained in the evaluation report and the basis for those conclusions and recommendations; and
  - B) provide clarification when warranted, practical and appropriate.

**Section 1905.60 Risk Assessment**

Evaluators shall appreciate the potential weight of general and sexual abuser-specific risk assessments across various criminal justice-related and civil contests and the associated implications (not only for community safety, but also for the potential impact on the client's civil liberties) and the critical need to ensure reliable and valid findings.

- a) Evaluators clarify the specific purpose for conducting a risk assessment on a given client and the way in which that information will be used, and articulate this in communications regarding the findings.
- b) Evaluators conducting risk assessments on sexual abusers are well versed in the contemporary research regarding static and dynamic factors linked to recidivism among sexual abusers. These variables fall into the following categories:
  - 1) Criminal history (e.g., prior arrests, convictions);
  - 2) Victim-related variables (e.g., age, gender, relationship);
  - 3) Sexual deviancy (e.g., offense-related sexual arousal, interests and/or preferences; sexual preoccupation);

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- 4) Antisocial orientation (e.g., criminal attitudes, values and behaviors; lifestyle instability);
  - 5) Intimacy and relationship deficits (e.g., problems with intimacy, unstable relationships, conflictual intimate relationships, deficits in social support and interaction); and
  - 6) Self-regulation difficulties (e.g., hostility, substance abuse, impulsivity, access to victims).
- c) Evaluators conducting risk assessments of sexual abusers use empirically supported instruments and methods (i.e., validated actuarial risk assessment tools and structured, empirically guided risk assessment protocols) over unstructured clinical judgment.
  - d) Evaluators conducting risk assessments of sexual abusers are appropriately trained in scoring, interpreting effectively and accurately reporting, and applying the findings of the risk assessment instruments/protocols employed.
  - e) Evaluators recognize the potential for both sexual and nonsexual recidivism among sexual abusers and clarify the type of recidivism risk assessed in the report or other statements of findings.
  - f) Evaluators are aware of the relative strengths and limitations of the risk assessment measures/methods employed, reference these issues when communicating risk assessment findings, and ensure that statements about the findings remain within the scope/capability of these measures (e.g., refraining from making absolute judgements about whether a given sexual abuser will or will not recidivate).
  - g) Evaluators ensure that any communications about a given client's recidivism risk are based on current and reliable assessment data about that person.
  - h) Evaluators appreciate that recidivism risk is not static and may change as a result of interventions, client actions or other circumstances and, therefore, evaluators conducting risk assessments employ research-supported methods of assessing dynamic risk factors as warranted over time.

**Section 1905.70 Psychophysiological Assessments**

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Evaluators shall recognize that psychophysiological assessment methods such as phallometry, viewing time and polygraphy may have particular utility to obtain objective behavioral data about the client that may not be readily established through other assessment means; explore the reliability of client self-reporting; and explore potential changes, progress and/or compliance relative to treatment and other case management goals and objectives, not determine guilt or innocence. Each assessment method is further explained in Section 1905.140.

- a) Evaluators obtain specific informed consent from clients prior to using psychophysiological measures.
- b) Evaluators are familiar with the strengths and limitations of psychophysiological instruments and note these issues when interpreting and communicating the findings from these instruments.
- c) Evaluators take reasonable steps to obtain assurances that examiners utilizing psychophysiological assessment instruments are appropriately trained in the use of those instruments, use accepted methods, and adhere to applicable professional/discipline-specific standards or guidelines.
- d) Evaluators recognize that the findings from psychophysiological measures are to be used in conjunction with other sources of assessment information, not as the single source of data for any assessment.
- e) Evaluators recognize that the results of psychophysiological measures are not to be used as the sole criterion for any clinical decision regarding offending, including, but not limited to, the following:
  - 1) Estimating level of risk for recidivism;
  - 2) Making recommendations for release to the community from a correctional, institutional or other noncommunity placement;
  - 3) Determining treatment completion; or
  - 4) Drawing conclusions regarding compliance with or violations of conditions of release or community placement.

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- f) Evaluators appropriately limit the use of phallometric measures to the following purposes:
- 1) Assessing the client's relative sexual arousal and preferences regarding age and gender;
  - 2) Evaluating the client's arousal response to various levels of sexually intrusive or aggressive/coercive behaviors;
  - 3) Exploring the potential role of offense-related sexual arousal in the client's sexually abusive or at-risk behavior and developing accompanying treatment goals; and
  - 4) Monitoring the effectiveness of interventions involving the modification, management and expression of both health and offense-related sexual arousal.
- g) Evaluators appropriately limit the use of viewing time measures to the following purposes:
- 1) Assessing the client's sexual interests with respect to age and gender;
  - 2) Evaluating the client's arousal response to various levels of sexually intrusive or aggressive/coercive behaviors;
  - 3) Exploring the potential role of offense-related sexual arousal in the client's sexually abusive or at-risk behavior and developing accompanying treatment goals; and
  - 4) Monitoring the effectiveness of interventions involving the modification, management and expression of both health and offense-related sexual arousal.
- h) Evaluators appropriately limit the use of polygraph measures to the following purposes:
- 1) Facilitating a client's disclosure of sexual history information, which may include sexually abusive or offense-related behaviors;

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- 2) Eliciting from the client clarifying information regarding the instant/index offense;
- 3) Exploring potential changes, progress and/or compliance relative to treatment and other case management goals and objectives; and/or
- 4) Making collaborative case management decisions about a client with other partners and stakeholders.

**Section 1905.80 Treatment Interventions**

- a) Sexual abuser-specific treatment is designed to assist clients with effectively managing thoughts, fantasies, feelings, attitudes and behaviors associated with their potential to sexually abuse or their risk for sexual re-offense and to develop a prosocial lifestyle that is inconsistent with offending. Sexual abusers are a heterogeneous population, with risk levels and treatment needs that can differ markedly. Therefore, sexual abuser-specific treatment services are best offered and provided along a continuum of care (from correctional, institutional, inpatient or residential facilities to community settings) and are matched to the assessed recidivism risk and treatment needs of a given client.
- b) Research indicates that treatment for criminal justice-involved populations, including adult sexual abusers, is most effective when it is delivered in accordance with the evidence-based principles of correctional intervention (risk, need and responsivity). As applied to treatment interventions for sexual abusers, this translates into the following:
  - 1) Risk: Sexual abusers presenting a higher risk of reoffending receive a greater intensity and dosage of treatment services, while lower risk sexual abusers receive less. Providing an inappropriate intensity of services may negatively affect treatment effectiveness and recidivism risk.
  - 2) Need: Treatment primarily targets research-supported dynamic risk factors that are linked to recidivism (i.e., criminogenic needs) over targets of intervention that are not empirically linked to recidivism.
  - 3) Responsivity: To address general responsivity factors, evidence-based intervention models are broadly structured, cognitive-behavioral, and skills-oriented. Unstructured, insight-oriented models typically are less

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effective in reducing sexual recidivism and do not constitute primary interventions in the treatment of sexual abusers. To address specific responsivity factors, services are delivered in a manner that accommodates client characteristics, such as level of intellectual functioning, learning style, personality characteristics, culture, mental and physical disabilities, and motivation level. Services also build upon client strengths, which may include motivation, ability to read and write, lifestyle stability, prosocial support systems, and willingness to comply with supervision requirements.

- c) Treatment effectiveness for sexual abusers is also enhanced when providers engage clients in the treatment process and interact with clients in a respectful, directive and empathic manner. For some adult sexual abusers, complementary interventions, such as psychiatric or mental health care, couples or family therapy, educational, housing or employment services, and risk management strategies such as community supervision, may contribute to public safety efforts and promote the overall stability and success of clients. Treatment providers often collaborate with other professionals who have various roles and responsibilities, agents, victim advocates, and other treatment providers, as well as positive community resources and supports. Treatment providers should remain abreast of current research and align practices accordingly. Recommended methods include structured, cognitive-behavioral, and skills-oriented treatment approaches that target dynamic risk factors. These methods have the greatest potential for reducing rates of sexual and other types of criminal reoffending in the male adult sexual abuser.

**Section 1905.90 Treatment Guidelines**

- a) Licensed treatment providers shall utilize sexual abuser-specific treatment that is guided by ethical principles and current empirical research in order to maximize treatment effectiveness, promote public safety, facilitate prosocial goals for clients, and maintain the integrity of the profession.
- 1) Treatment providers utilize sexual abuser-specific treatment in accordance with any additional ethical standards, codes, laws or other expectations for the respective profession or discipline of practice. This includes ethical standards pertaining to, but not limited to, the following:
- A) Informed consent;

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- B) Specialized training, knowledge, expertise and scope of practice;
  - C) Documentation and retention of records;
  - D) Currency of research;
  - E) Confidentiality;
  - F) Professional relationships; and
  - G) Conduct.
- 2) Treatment providers appreciate that treatment for individuals who have sexually abused or are at risk for sexually abusing others is an evolving science.
  - 3) Treatment providers remain apprised of contemporary research and engage in professional development activities to ground their provision of research-supported and evidence-based interventions for sexual abusers accordingly.
  - 4) Treatment providers encourage, support and, whenever possible, participate in ongoing empirical research efforts designed to identify and refine effective interventions for sexual abusers and those at risk to sexually abuse others.
  - 5) Treatment providers working with sexual abusers collaborate with other professionals who are involved in the management of clients, including judges, probation/parole officers, correctional and other facility staff, child welfare workers, and victim therapists in order to facilitate information sharing and further the goals of treatment. This collaboration/cooperation is consistent with and limited to activities and behavior appropriate to treatment providers' professional roles.
  - 6) Treatment providers recognize that correctional staff and community supervision practitioners who are well-trained and skilled in using evidence-based behavioral techniques and interventions (e.g., prosocial modeling, skill practice, rehearsal of strategies, redirection, positive

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reinforcement) can complement treatment activities in correctional and other facilities and post-release.

- b) Assessment-Driven Treatment  
Treatment providers shall recognize the importance of individualized, assessment-driven treatment services and deliver treatment accordingly.
- 1) Treatment providers ensure that, prior to initiating treatment services for individuals who have sexually abused or are at risk of sexually abusing others, a psychosexual evaluation of a client's recidivism risk and intervention needs has been conducted, is current and is comprehensive.
  - 2) Treatment providers rely on research-supported assessment methods that are designed to identify dynamic risk factors present for a given client.
  - 3) Treatment providers develop and implement an individualized, written treatment plan for each client, outlining clear and specific treatment goals and objectives that are consistent with the results of a current psychosexual evaluation.
  - 4) Treatment providers routinely review and update treatment plans based on multiple methods of assessment.
  - 5) Treatment providers offer treatment that is appropriate for a client's assessed level of risk and intervention needs.
  - 6) Treatment providers offer treatment only when they have the resources necessary to provide an adequate and appropriate level of intervention for a client's risk and needs.
  - 7) Treatment providers refer a potential client to other treatment providers or agencies when they cannot provide an adequate and appropriate level of intervention. This may involve a full transfer or sharing of clinical responsibility.
  - 8) Treatment providers recognize the importance of primary and secondary prevention by making treatment services available to, or making appropriate referrals for, individuals who may be at risk for engaging in sexually abusive behaviors and are seeking nonmandated assistance.

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- 9) Treatment providers recognize that some individuals may present for sexual abuser treatment in the absence of legal or other mandates and that appropriate services should be made accessible to those individuals.

**Section 1905.100 Treatment Methods**

- a) Treatment providers working with sexual abusers shall utilize empirically supported methods of intervention. Recommended methods include structured, cognitive-behavioral, and skills-oriented treatment approaches that target dynamic risk factors.
  - 1) Treatment providers deliver services to clients using a variety of modalities, including individual, family and group therapy, that are matched to each client's individual intervention needs and responsivity factors.
  - 2) Treatment providers assist clients with identifying and analyzing the individual's factors (e.g., environmental, cognitive, affective and relational) that increase the individual's vulnerability to engage in sexually abusive behaviors.
  - 3) Treatment providers use cognitive-behavioral techniques, at the earliest opportunity, to help clients develop and rehearse strategies (i.e., avoid or escape high risk situations, use adequate coping skills) to effectively manage situations that may increase their risk of sexually abusing or otherwise reoffending.
  - 4) Treatment providers use behavioral methods, such as education, prosocial modeling, skill practice, rehearsal of strategies, redirection and positive reinforcement, to teach or enhance skills that will help clients achieve prosocial goals.
  - 5) Treatment providers encourage clients to practice the skills they learned in treatment and ensure that these skills generalize to clients' environments.
  - 6) Treatment providers assist clients in developing individualized strategies and plans for effectively managing their risk of sexual abuse or other harmful or illegal behaviors. These plans include specific strategies for

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avoiding or limiting access to potential victims, recognizing and coping with risk factors, and building social support systems.

- 7) Treatment providers assist clients with identifying and enhancing prosocial interests, skills and behaviors that the clients themselves seek to enhance or attain (i.e., approach goals that are oriented toward a nonoffending lifestyle), as opposed to strictly focusing on managing inappropriate thoughts, interests, behaviors and risky situations (i.e., avoidance goals).
- b) Dynamic Risk Factors  
Treatment providers shall focus treatment interventions primarily on research-supported dynamic risk factors that are linked to sexual and nonsexual recidivism (i.e., criminogenic needs) over factors that have not been shown to be associated with recidivism, as outlined in this subsection (b).
- 1) General Self-regulation
    - A) Treatment providers assist clients in learning to self-manage emotional states that support or contribute to their potential to sexually abuse.
    - B) Treatment providers assist clients in learning and practicing problem-solving and impulse control skills.
    - C) Treatment providers assist clients in obtaining appropriate services for evident problems related to the clients' mental health and substance use patterns.
  - 2) Sexual Self-regulation
    - A) Treatment providers use cognitive-behavioral, behavioral and/or pharmacological techniques to promote healthier sexual interests and arousal, fantasies and behaviors oriented toward age-appropriate and consensual partners.
    - B) Treatment providers use cognitive-behavioral, behavioral and/or pharmacological techniques known to be associated with:

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- i) reductions in sexual preoccupation (paraphilic and nonparaphilic) and deviant sexual interests and arousal; and
  - ii) improvements in the management and control of sexual impulses.
- C) Treatment providers target cognitions that are supportive of age-inappropriate and nonconsensual sexual interest, arousal and behavior in order to assist clients in enhancing their sexual self-regulation.
- D) Treatment providers help clients find effective ways to minimize contact with persons or situations that evoke or increase clients' deviant interests and arousal.
- 3) Attitudes Supportive of Sexual Abuse
- A) Treatment providers recognize that client attitudes and beliefs that are tolerant of sexual abuse (e.g., women enjoy being raped, children should be able to make up their own mind about having sex with adults) are important treatment targets.
- B) Treatment providers:
- i) use established cognitive therapy techniques to strengthen attitudes, beliefs and values that support prosocial sexual behaviors; and
  - ii) help clients manage or decrease those that support sexually abusive behavior.
- C) Treatment providers are aware that, although clients may hold attitudes, beliefs and values that are unconventional but unrelated to their risk for sexually abusive or criminal behaviors, these attitudes, beliefs and values are not deemed appropriate primary treatment targets.
- 4) Intimate Relationships

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- A) Treatment providers assist the client in the development of skills that can enable the experience of prosocial intimate relationships with adults. Treatment providers orient their interventions so that they build on strengths in the client's existing relationships, when appropriate.
  - B) Treatment providers aim, when possible and appropriate, to include adult romantic partners in treatment in order to maximize treatment gains and enhance prosocial lifestyles.
- 5) Social and Community Supports
- A) Treatment providers encourage and assist clients in identifying appropriate, prosocial individuals who can act as positive support persons.
  - B) Treatment providers encourage family members and other support persons to actively participate in the treatment process and to help clients achieve and maintain prosocial lifestyles.
  - C) Treatment providers assist clients who are transitioning to the community or are already in the community to develop and maintain stable prosocial lifestyles, which are characterized by stable and appropriate housing, employment and leisure activities.
  - D) Treatment providers recognize that developing a support network may be contraindicated with clients who have a history of violence toward support persons and have not been violence-free for a significant amount of time. Hence, treatment providers encourage clients to make small and gradual changes and closely monitor these changes to ensure clients are receiving or have received interventions to address these issues and reduce the risk for violence.
- 6) Treatment providers may, as warranted for a given client based on a comprehensive assessment, also include treatment targets that are not clearly established by research to be dynamic risk factors (e.g., denial and minimization, low self-esteem) but that, when addressed, enhance therapeutic alliance, treatment engagement and treatment responsiveness.

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- c) Treatment Engagement and Goal Setting
- 1) Treatment providers shall strive to foster clients' engagement and internal motivation at the onset, and throughout the course of, sexual abuser-specific treatment, recognizing that these process-related variables enhance treatment responsiveness and outcomes.
  - 2) Treatment providers recognize that, although many clients present for sexual abuser-specific treatment as direct result of legal or other mandates, external motivators alone are generally insufficient for producing long-term change among clients.
  - 3) Treatment providers provide services in a respectful, directive and humane manner and facilitate a therapeutic climate that is conducive to trust and candor.
  - 4) Treatment providers recognize that client engagement may increase, and resistance may decrease, when the treatment provider and client are in relative agreement about treatment goals and objectives. To the extent possible, treatment providers involve clients in the development of their treatment plans and in the identification of realistic goals and objectives.
  - 5) Treatment providers clarify, at the onset of sexual abuser-specific treatment, the client's understanding of the problems for which the client referred to treatment and that primary treatment objectives are often specific to modifying deviant sexual attitudes, interests, arousal and behaviors.
  - 6) Treatment providers are aware that clients present with differing levels of internal motivation to change (and varied types and levels of denial and minimization related to sexually abusive behavior, interests, arousal and attitudes and beliefs), but that such characteristics do not preclude access to treatment.
  - 7) Treatment providers recognize that denial and minimization may impact the client's engagement in treatment, but that the influence of denial and minimization on sexual recidivism risk has not yet been clearly established and may vary among client groups.

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- 8) Treatment providers support the client in being honest in discussing the client history and functioning, but acknowledge that it is not the role of treatment providers to attempt to determine or verify a client's legal guilt or innocence or to coerce confessions of unreported or undetected sexually abusive behaviors.
- 9) Treatment providers are aware that attempting to provide treatment for problems that a client persistently denies having results in limitations in making reliable clinical recommendations about the individual's treatment progress and re-offense risk, and that this has ethical implications.
- 10) Treatment providers routinely seek and explore the client's perspectives and offer feedback on the client's engagement, motivation and progress in treatment, or lack thereof.

**Section 1905.110 Treatment Progress and Completion**

Treatment providers shall recognize and communicate that successful completion of a sexual abuser treatment program/regimen indicates that a client has demonstrated sufficient progress in meeting the specified series of goals and objectives of an individualized treatment plan designed to significantly reduce and reasonably manage the individual's risk to reoffend. Completion of treatment should be understood as meaning the successful completion of treatment, and not as the cessation of court-ordered, offense-specific treatment or the completion of the sentence imposed by the court or the Prisoner Review Board. Successful completion of treatment may not end the sex offender's need for ongoing rehabilitation or elimination of risk to the community.

- a) Treatment providers develop written treatment contracts/agreements (e.g., treatment consent forms) to ensure clarity and agreement between the provider and clients. The contracts address, at minimum, the following:
  - 1) The nature, goals and objectives of treatment;
  - 2) The expected frequency and duration of treatment;
  - 3) Rules and expectations of treatment program participants;
  - 4) Rewards and incentives for participation and progress;

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- 5) Consequences of noncompliance with program rules and expectations; and
  - 6) Criteria used for assessing progress and determining program completion.
- b) Treatment providers routinely utilize multiple methods in an effort to objectively and reliably gauge treatment progress, particularly with respect to dynamic risk factors. These methods include:
- 1) Structured, research-supported tools and inventories;
  - 2) Specialized behavioral/psychophysiological tools;
  - 3) Client self-report; and
  - 4) Collateral reports.
- c) Treatment providers routinely review the client's individual treatment plan and clearly document in treatment records the specific and observable changes in factors associated with the client's risk to recidivate, or the lack of changes.
- d) Treatment providers recognize that a client who has successfully completed treatment has generally:
- 1) Acknowledged the problems for which the client was referred in sufficient enough detail for treatment staff to have developed a treatment plan that, if implemented properly, could be reasonably expected to reduce the risk to reoffend;
  - 2) Demonstrated an understanding of the thoughts, attitudes, emotions, behaviors and sexual interests linked to sexually abusive behavior and can identify these when they occur in the client's present functioning; and
  - 3) Demonstrated changes in managing these thoughts, attitudes, emotions, behaviors and sexual interests that are sufficiently sustained to create a reasonable assumption that the client reduced the risk to reoffend.

AGENCY NOTE: Offenders under conditional release, parole or probation may have additional specific indicators to enable the treatment provider to assess treatment completion to include completion of levels of supervision (this may

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include various components such as compliance with conditions of supervision, lack of sanctions, employment, progress in treatment, etc.), polygraph examinations and/or plethysmographs, etc. The decision to successfully terminate a supervised offender from treatment should be made by the multidisciplinary team.

- e) Treatment providers evaluate a client's treatment progress within the context of a thorough understanding of the client's individual capacities, abilities, vulnerabilities and limitations. Associated recommendations should reference these factors and aim to stay within the bounds of what is likely or possible for the individual client.
- f) Treatment providers providing community-based treatment recommend:
  - 1) more intensive treatment and/or supervision if a client experiences significant difficulties managing the risk for sexual abuse in a way that jeopardizes community safety; and
  - 2) gradual adjustments to the intensity of services as the client consistently demonstrates stability and positive gains.
- g) Treatment providers prepare their clients for treatment completion, which may include a gradual reduction in frequency of contacts over time as treatment gains are made, booster sessions to reinforce and assess maintenance of treatment gains, and consultation to any future service providers.
- h) Treatment providers are clear when communicating with clients, other professionals, and the public that some clients may require ongoing management of their risk and treatment needs.
- i) Treatment providers utilize the client, support persons and appropriate professionals involved in ongoing case management with written information that includes follow-up recommendations for maintaining treatment gains.
- j) Treatment providers immediately notify appropriate authorities if a legally mandated client discontinues treatment or violates a mandated condition of parole, probation or treatment.

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- k) Treatment providers hold nonmandated clients to the same treatment expectations as mandated clients.

**Section 1905.120 Responsivity Factors and Special Populations**

Treatment providers shall acknowledge the diversity among individuals who sexually abuse others and that responsiveness to sexual abuser-specific treatment can vary as a function of client characteristics such as demographics, language, development, capabilities, functioning and motivation to change.

- a) Treatment providers recognize that not all treatments have been developed or evaluated with various subpopulations of sexual abusers (e.g., individuals with intellectual and developmental disabilities, clients with serious mental illness, those with varied cultures and other demographics). The limitations of treatments with these populations should be identified prior to initiating treatment services.
- b) Treatment providers appreciate that treatment for sexual abusers is more effective when responsivity factors are addressed and recognize the potential for unintended collateral consequences when services fail to take into account responsivity factors.
- c) Treatment providers assess and identify responsivity factors, such as comprehension, cognitive capabilities, adaptive functional level, psychiatric stability, and other factors that may impact a client's ability to maximally benefit from sexual abuser-specific treatment.
- d) Treatment providers strive to adjust approaches to interventions and match clients to appropriate services based on identified responsivity factors in order to facilitate clients' maximum benefit from services. This includes, for example, the provision of language interpreters, services for deniers, services for clients with cognitive or developmental limitations, and culturally competent programming.
- e) Treatment providers strive to equip themselves with the knowledge and skills necessary to adequately address clients' responsivity factors and/or special needs by participating in professional development activities.
- f) Treatment providers recognize their own strengths and limitations with respect to their ability to provide adequately responsive services to clients and refer clients

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to qualified providers skilled in addressing specific responsivity factors, when necessary.

- g) Treatment providers understand that, for some subpopulations of sexual abusers, sexual abuser-specific treatment services are best provided subsequent to or in concert with other psychiatric, behavioral or responsivity-oriented interventions. Treatment providers offering sexual abuser-specific treatment collaborate with the providers of those services to ensure that sexual abuser-specific services are complementary and not contraindicated.
- h) Treatment providers providing sexual abuser-specific treatment work closely with a client's partner, family members and other community support persons who can facilitate successful treatment outcomes because of their abilities to attend to a given client's specific responsivity factors.

**Section 1905.130 Risk Reduction and Risk Management in the Community**

- a) Many adult sexual abusers residing in the community are supervised under the jurisdiction of the courts, correctional departments, probation or parole divisions or mental health agencies. Approaches to reducing and managing risk in the community may involve imposing various supervision conditions, expectations and requirements; monitoring and tracking; linking clients to appropriate programs and services; facilitating successful reentry to and stability in the community following release from correctional or other facility custody; promoting continuity of care within and across facility-based programs and services and community-based services; educating and engaging the public and communities; using and encouraging other system partners to use empirically informed assessment information to guide interventions and strategies; and engaging positive community support networks, which may include trained volunteers. Some strategies are explicitly designed to reduce the recidivism risk of sexual abusers by assisting them with developing and enhancing prosocial attitudes, skills and behaviors; increasing healthy and appropriate interests; effectively managing risk factors; developing positive and prosocial community supports; and enhancing other protective factors. Other strategies are primarily designed to promote accountability, deterrence and risk management.
- b) Research indicates that focusing supervision activities primarily or exclusively on risk management is not effective in reducing recidivism, whereas using risk-reducing interventions, such as treatment and other skill-building interventions, to

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complement risk management-based supervision strategies leads to better outcomes. To support a balance of risk reduction and risk management efforts, contemporary trends involving sexual abusers in the community often emphasize multidisciplinary and multi-agency collaborations. These collaborative efforts are part of contemporary practices in the treatment and supervision of sexual abusers, as supported by the extant literature. It may include communication and partnerships among professionals, such as sexual abuser-specific treatment providers and other treatment providers (e.g., substance abuse, mental health, marital and family therapists), probation or parole officers, case managers, child welfare professionals, victim advocates, law enforcement officials, polygraph examiners and others.

- c) In many jurisdictions, collaboration occurs through multidisciplinary case management teams, the composition of which may vary depending on the risk, needs and circumstances of a given client. Key elements of effective collaboration include a clear delineation of roles and responsibilities, complementary policies and procedures, ethically sound communication and information-sharing mechanisms, and a shared community safety goal. Through effective partnerships, early intervention can be exercised to reduce the risk posed by sexual abusers prior to behaviors that are not yet criminal in nature and to facilitate the exchange of information to develop appropriate treatment plans, inform risk management decisions, make recommendations regarding victim contact, and increase the overall stability and success of clients in the community.
- d) In cases in which a client will be released from a correctional, inpatient or other institutional setting, the transition to the community is likely to be more successful when collaboration exists among professionals with case management responsibilities in the facility and in the community. Transition and reentry planning should be initiated well in advance of the client's release in order to identify any current and ongoing intervention needs, promote continuity of care, explore and begin to address potential barriers to reentry in the community (e.g., housing or employment challenges), clarify any post release conditions and expectations, and facilitate access to community resources and services, which may include community-based sexual abuser-specific treatment.
- e) Research on correctional populations, including sexual abusers, demonstrates that interventions are most effective when guided by evidence-based principles of correctional intervention (i.e., risk, need and responsivity). Therefore, community-based risk reduction and risk management strategies involving sexual

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abusers are ideally matched accordingly and may change over time, based on current and empirically informed assessment information. Although higher risk/higher need clients may require supervision, monitoring and treatment of greater intensity and dosage, less intensive supervision and other risk management and risk reduction strategies may be more effective and sufficiently adequate for sexual abusers with lower recidivism risk, fewer intervention needs and greater protective factors.

- f) Overarching Risk Reduction and Risk Management Considerations
- 1) Treatment providers recognize that the community management of sexual abusers generally involves a variety of interventions, strategies and mechanisms.
  - 2) Treatment providers appreciate that sex offender-specific public policies and practices have varied goals (e.g., deterrence, retribution, risk management, risk reduction, prevention) and may reflect different interests and priorities for stakeholders. Some may complement sexual abuser-specific treatment, other risk-reducing interventions and prevention strategies; others may not.
  - 3) Treatment providers recognize that some interventions and strategies used to promote risk management and risk reduction with clients have more empirical support than others.
  - 4) Treatment providers remain apprised of the current research pertaining to the impact and effectiveness of various risk management and risk reduction policies and strategies utilized with clients in the community.
  - 5) Treatment providers are encouraged to work with researchers to assess the impact and effectiveness of community-based risk management and risk reduction strategies utilized with clients.
  - 6) Treatment providers play a role in educating stakeholders regarding the current empirical support for various strategies and encourage the use of research-supported principles and practices to promote effective risk reduction and risk management with clients in the community.

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- 7) Treatment providers appreciate that the application of empirically informed assessments of risk and need can enhance the potential effectiveness of risk management and risk reduction strategies for sexual abusers in the community and support the use of those assessments system-wide.
  - 8) Treatment providers strive to ensure that collaborative partners and other stakeholders have access to current, empirically informed assessments to guide decision making regarding risk management and risk reduction of sexual abusers in the community.
- g) Multidisciplinary Collaboration
- 1) Treatment providers recognize that effectively reducing and managing risk among sexual abusers in the community often involves collaboration across multiple agencies, entities and disciplines.
  - 2) Treatment providers appreciate that their respective roles and responsibilities with clients are part of a broader system of community management.
  - 3) Treatment providers strive to engage stakeholders, such as the judiciary, treatment providers, probation and parole officers, correctional staff, victim advocates, law enforcement agents, employers, landlords and housing officials, civic organizations, mentors, the faith community, and other community supports, in contributing to risk reduction, risk management and prevention activities.
  - 4) Treatment providers recognize that collaborative partnerships are more effective at increasing community safety when the various stakeholders are appropriately trained and knowledgeable about working with sexual abusers. Therefore, treatment providers promote education and training of the involved professionals and nonprofessionals (e.g., family members, community supports).
  - 5) Treatment providers ensure that information-sharing and collaboration occur within the parameters of confidentiality provisions, informed consent and other ethical standards.

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- h) Collaborating with Probation/Parole or Other Community Supervision Professionals
- 1) Treatment providers working with sexual abusers shall collaborate with probation and parole officers, correctional and other facility staff, case managers, and post release aftercare professions to support successful public safety and client outcomes.
  - 2) For clients who are under court-mandated or other formal supervision in the community (e.g., probation, parole, aftercare/step-down from an inpatient treatment facility), treatment providers strive to obtain supervision- and treatment-related information from the appropriate authorities. This minimally includes copies of:
    - A) presentence investigations, prerelease evaluations, previous sexual abuser-specific evaluations, treatment summaries, and conditions of probation/parole or post release placement in the community; and
    - B) when possible, documents regarding the investigation of the offenses.
  - 3) Treatment providers working with sexual abusers review with the probation officers/parole agents and other case managers the specific conditions that are designed for risk reduction and management purposes and discuss the rationale with the clients. These conditions often include, but are not limited to, the following:
    - A) Abstaining from alcohol and/or illegal drugs, when substance use is a risk factor;
    - B) Adhering to treatment expectations (e.g., participation, compliance with program rules and individual treatment plans);
    - C) Practicing healthy sexual attitudes and behaviors;
    - D) When appropriate, disclosing offense history, risk factors and effective coping strategies to professionals who are involved with the client and the client's significant others;

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- E) Making plans for work, social and leisure activities to enhance quality of life and reduce possible exposure to cues or situations associated with the client's risk of reoffending;
  - F) Complying with other conditions of supervision, such as restricted internet access, employment, volunteering, polygraph examinations and electronic/GPS monitoring; and
  - G) Complying with restrictions on contact with children or other vulnerable parties (e.g., adults with developmental limitations), as deemed necessary for a given individual.
- 4) Treatment providers working with sexual abusers establish and clarify the appropriate parameters (e.g., timing, type of content) and mechanisms (e.g., written, verbal, face-to-face) for reciprocal information-sharing with the probation/parole officer or other relevant case management professionals in order to promote well-informed decision making. This minimally includes the following:
- A) Attendance in treatment;
  - B) Overall participation in treatment;
  - C) Specific changes in dynamic and protective risk factors;
  - D) Progress toward specific goals in treatment;
  - E) Engagement and compliance with supervision;
  - F) Referrals to and/or participation in additional programs and services; and
  - G) Adjustments to level of supervision or supervision strategies.
- 5) Treatment providers report, to the appropriate professionals with the authority and responsibility for supervision, in a timely manner, any violations of their clients' conditions of supervision and significant adverse changes in dynamic risk factors.

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- i) Treatment providers shall recognize the distinct but potentially complementary roles and responsibilities of treatment providers and supervision officers, clarify these roles and responsibilities to clients and other professionals, and actively strive to maintain these professional boundaries.
  - 1) Treatment providers are aware of the ethical concerns related to dual relationships and adhere to any licensing, discipline-specific, ethical or other credentialing standards and guidelines regarding dual relationships and conflict of interest.
  - 2) While supporting complementary risk reduction and risk management efforts with clients, treatment providers strive to ensure that:
    - A) Sexual abuser-specific treatment providers limit their role to that of a clinician and do not attempt to assume the roles of supervision officers or law enforcement agents, or represent themselves as such.
    - B) Probation/parole officers do not represent themselves as specialized sexual abuser-specific treatment providers unless they possess the requisite education, training, supervision, licensure and continuing education;
    - C) Probation/parole officers who deliver "general" cognitive and/or behavioral interventions to promote skill-building and behavior change among clients are well-trained and appropriately supervised to deliver those interventions with fidelity; and
    - D) Probation/parole officers do not assume specialized clinical responsibilities within treatment programs for sexual abusers with clients for whom they have supervision responsibility.
  - 3) In order to promote a collaborative treatment approach, treatment providers are encouraged, when clinically appropriate, to allow probation/parole officers to observe clinical treatment sessions in programs for sexual abusers. However, the following guidelines should be taken into consideration:

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- A) Treatment providers recognize that these observations can:
  - i) help educate officers about individuals who sexually abuse and the nature and approach to treatment for sexual abusers; and
  - ii) help officers obtain information that may enhance their supervision of a given client.
- B) Treatment providers recognize that these observations can impact client confidentiality, inhibiting client participation and disclosure; disrupt continuity of the treatment process; and blur clients' perceptions of officers' roles.
- C) If allowing these observations, treatment providers:
  - i) Ensure that officers identify themselves by position and work responsibilities and clarify to session participants their roles and responsibilities as supervision officers;
  - ii) Review and clarify the purpose and possible impact of having officers present;
  - iii) Obtain appropriate informed and voluntary consent from clients; and
  - iv) Ensure that officers are aware of and adhere to professional ethics, including, but not limited to, confidentiality limits and boundaries.
- j) Engaging Community Supports
  - 1) Treatment providers shall recognize that an appropriate support person can assist professionals and clients with risk reduction, risk management and other successful outcomes for clients, victims and communities.
  - 2) Treatment providers collaborate with clients and other professionals to identify and engage community support persons in the supervision and treatment processes, when appropriate and feasible.

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- 3) Treatment providers acknowledge that appropriate support persons are able and willing to:
  - A) Appreciate that clients are responsible for having engaged in sexually abusive behavior;
  - B) Recognize that recidivism risk can increase and decrease over time;
  - C) Maintain routine contact with the individual who has engaged in sexually abusive behavior;
  - D) Understand, recognize, intervene and report when risk factors are present;
  - E) Maintain, model and assist clients with practicing prosocial attitudes and behaviors;
  - F) Support adherence to supervision, treatment and other expectations pertaining to risk reduction and risk management;
  - G) Participate in the development and implementation of safety plans for victims and other vulnerable persons as applicable; and
  - H) Communicate routinely and effectively with the professionals responsible for assessing, supervising and providing treatment to sexual abusers.
- 4) Treatment providers establish and clarify appropriate parameters (e.g., timing, nature, limits, methods) of reciprocal information-sharing with support persons.
- 5) Treatment providers take appropriate steps to ensure that support persons are equipped with knowledge and skills regarding risk factors for reoffending, strategies for effectively reducing and managing clients' risk for recidivism, and the strengths and limitations of strategies in place.
- 6) Treatment providers:

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- A) educate clients and identified support persons regarding the roles, responsibilities, expectations and risks and benefits associated with serving as part of a collaborative support network; and
  - B) elicit informed consent accordingly.
- k) Collaborating with Child Protective/Child Welfare Professionals
- This Section pertains to clients whose sexually abusive behaviors, interests, preferences, or arousal involve children and the potential for these clients to have planned or unplanned contact with children (e.g., children in their own families, the children of new romantic partners, friends, coworkers, or neighbors). It is important to note that contact is not limited to the client's close physical proximity with a child or adolescent, but also includes one-to-one interactions such as telephone calls, emails, written notes and communications through third parties.
- 1) Treatment providers shall prioritize the rights, well-being and safety of children when making decisions about client contact with minors.
  - 2) Treatment providers take reasonable steps to support a client's adherence to any no contact orders or other restrictions that have been imposed by the courts or other entities statutorily authorized to impose restrictions for that client.
  - 3) When contact with children is at issue under the terms of any legal disposition (e.g., court order, probation/parole order), treatment providers may provide written assessment-driven recommendations regarding an individual client's acceptable level of contact with children that range from no contact to supervised or unsupervised contact.
  - 4) Treatment providers' recommendations regarding contact with minors should be minimally informed by the following:
    - A) Empirically informed assessments of recidivism risk and protective factors;
    - B) The client's history of deviant sexual interests, fantasies and behaviors involving children;

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- C) The nature, extent and duration of the offending behaviors of the client;
  - D) The client's engagement and progress in sexual abuser treatment, particularly with respect to general and sexual self-regulation, sexual preoccupations and extent of sexual deviance variables; the abuser-victim relationship; and offense-related motivations, grooming patterns, attitudes and offense-specific variables;
  - E) The presence of positive prosocial supports for the client who can serve as chaperones;
  - F) The client's engagement and compliance with supervision expectations and conditions;
  - G) The ability, skills and willingness of nonoffending parents or guardians to provide an environment that is appropriately conducive to maintaining the child's emotional and physical safety;
  - H) The availability and professional opinions of a qualified child advocate, mental health or child welfare professional to whom the child and family are therapeutically engaged, and the confidence that the child will be able to articulate interests and concerns regarding the potential for contact with the client;
  - I) The child's reported interests for contact or no contact, or if contact would not be in the best interests of the child; and
  - J) The extent to which community strategies are currently in place to provide adequate mechanisms and resources to ensure adequate child safety plans for victims and other minors.
- 5) Treatment providers collaborate with the proper authorities or professionals to support restrictions that prohibit clients from having contact with a child if the child does not want contact or if contact would not be in the best interests of the child or other vulnerable persons.

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- 6) Treatment providers consider the impact that the client's contact with siblings may have on the victim and approve contact that minimizes distress to the victim.
- 7) Treatment providers work collaboratively with child welfare/child protection agencies, victim advocates and others (e.g., treatment providers, probation/parole officers) to develop safety plans for victims and other vulnerable children.
- 8) Treatment providers obtain informed consent from a child's nonoffending parent or legal guardian before approving a client's contact with that child, while adhering to the parameters of any legal or other restrictions.
- 9) Treatment providers may support structured and/or supervised contact with children when the following occur:
  - A) the client is making acceptable progress in treatment and/or supervision;
  - B) he/she is effectively managing dynamic risk;
  - C) appropriate safety precautions are in place; and
  - D) contact is assessed to be in the best interest of the child by the appropriate/designated professionals working with those responsible for child welfare decisions, taking into account the expressed interests of the child.
- 10) Within the bounds of confidentiality, treatment providers regularly exchange information in a timely manner with child welfare workers involved in a client's case and with child welfare workers involved in monitoring the safety of children with whom the client is having or considering having contact, unless otherwise specified by law. Information may include, but is not limited to, the following:
  - A) Client's treatment progress;
  - B) Significant changes in dynamic risk factors; and

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- C) Significant barriers and social services agreements in place with goals and objectives that have to be met by all in order to promote contact or reunification.
- 11) Treatment providers familiarize themselves with restrictions related to client-victim contact and abide by those restrictions in a therapeutic manner.
  - 12) Treatment providers ensure that, as warranted for a given client, contact with children is addressed as part of a comprehensive community risk management plan and should be linked to the client's re-offense risk, progress in treatment, and/or compliance with supervision, as applicable.
  - 13) Treatment providers document all decisions about a client's contact with children, including whether contact is recommended, the type of contact that is recommended, the preparations made with children and chaperones, and information obtained during the ongoing monitoring process.
- 1) Addressing Family Reunification and Visitation
    - 1) Treatment providers shall collaborate with child welfare workers to address family reunification efforts when clients have abused children in their own families and wish to have contact with them, or they seek to begin relationships with individuals who have children.
    - 2) Treatment providers recognize that family reunification, in many cases, is not an advisable goal because of the risk and potential for harm that may be unmanageable (e.g., high risk, lack of appropriate caregiver supervision, nature of the victimization, impact on family and victim). However, family reunification may be one of the many ways that victims and families attempt to resolve issues generated by the offender's abuse and may be beneficial for other reasons in some circumstances.
    - 3) Treatment providers are aware that reunification is a gradual and well-supervised procedure in which a sexual abuser is allowed to reintegrate into the familial network where the victims or potential victims are present.

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- 4) Before providing recommendations regarding family reunification, treatment providers collaborate with professionals from a range of disciplines who have different agency missions and mandates, which may include child welfare professionals, family therapists, victim services providers or advocates, treatment providers, supervision officers, and other community supports.
- 5) Treatment providers ensure that any child contact decisions within the context of family reunification efforts should be informed by a thorough assessment of the client's risk, the child's safety plan, and consultation with other members of the community risk management team, such as collaborative partners and stakeholders.
- 6) Treatment providers ensure that, as appropriate and indicated, contact with the client's children, his/her current partner's children, or children of family members are also discussed as part of the reunification process.
- 7) Treatment providers do not recommend the involvement of the victims or potential victims in family reunification efforts unless that involvement is likely to benefit the victims or potential victims and unlikely to cause them inordinate levels of distress.
- 8) Treatment providers, if necessary, recommend that the client be removed from the residence of the victims or potential victims rather than removing the victims or potential victims.
- 9) Treatment providers consider the wishes of the victims or potential victims with regard to family reunification, taking into account their ability to understand the ramifications of their decisions.
- 10) Treatment providers ensure that a child has access to a responsible adult chaperone trusted by that child before recommending the client be allowed to have contact with that child.
- 11) Treatment providers may make recommendations for a client to have contact with interfamilial victims and other family members under 18 (or otherwise vulnerable persons) only when the following are present:

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- A) A nonoffending parent or another responsible adult who is adequately prepared to supervise the contact;
  - B) The victim or minor is judged to be ready for the contact by a professional who can monitor the victim's or minor's safety; and
  - C) The client has made acceptable progress in treatment.
- 12) Treatment providers ensure that appropriate safety plans are developed and monitored during the family reunification process. Safety plans should include explicit and nonnegotiable rules and boundaries, as well as the method to address infractions.
- m) Engaging Chaperones and Community Supports
- 1) Treatment providers shall exercise prudence and caution when involved with the selection and education of responsible adult chaperones for contacts between clients and children and other vulnerable parties who may be unable to give consent.
  - 2) Treatment providers recommend as potential chaperones only adults who:
    - A) Accept and understand the client's history of sexually abusive behavior;
    - B) Appreciate that the client is solely responsible for decisions to act in a sexually abusive manner (i.e., chaperones do not place responsibility on victims or external circumstances);
    - C) Recognize the potential for risk and intervention needs to change over time, either increasing or diminishing;
    - D) Appreciate the need for the client to have prosocial supports; and
    - E) Accept the role and responsibilities of being an effective chaperone.

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- 3) Treatment providers ensure that clients educate potential chaperones candidly about the clients' sexually abusive behaviors, antecedent and ongoing risk factors, and treatment and/or supervision conditions.
  - 4) Treatment providers ensure that chaperones fully understand the safety plan for the children and appropriate reporting procedures for violations of the safety plan.
  - 5) Treatment providers monitor authorized contacts between the client and children through interviews with the client, the chaperone and/or the child's therapist/support person, and through other supervision options.
- n) Continuity of Care
- 1) Treatment providers shall recognize that continuity of care is necessary to support effective risk management and risk reduction of sexual abusers in the community.
  - 2) Treatment providers facilitate, in a timely manner, the seamless access to and provision of follow-up services for clients who transition from one program to another. This may include transition from:
    - A) Institutional to community-based treatment;
    - B) Community-based treatment to treatment in a correctional, inpatient or other institutional setting;
    - C) Programming within a facility/institution or within the community, at a lateral level of transfer; or
    - D) The current jurisdiction/place of residence to a new jurisdiction of residence, due to relocation or transfer of supervision.
  - 3) Treatment providers seek information, through appropriate release of information when necessary, regarding treatment progress and take this into consideration when initiating treatment services for a client who has been receiving services elsewhere or in another setting in order to prevent duplication of efforts and promote timely, assessment-driven, well-informed treatment planning.

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- 4) Treatment providers, to the greatest degree possible, include the client, institutional caseworker, institutional treatment staff, community supervision staff, community treatment staff, family members, and support persons in release planning meetings. When this is not possible, electronic alternatives, such as teleconferencing or videoconferencing, may be used.
- 5) Treatment providers providing services to clients prepare written treatment/discharge summaries for clients who change programs, transition from an institution to the community, or transition from the community to an institution (i.e., lesser level of care or increased level of care/security). These summaries usually include the following elements:
  - A) Assessment of risk to sexually harm others, including individualized risk factors and indicators of imminent risk;
  - B) Assessment of dynamic risk factors and protective factors/client strengths (e.g., prosocial support systems);
  - C) Description of offending pattern;
  - D) Description of sexual and nonsexual criminal history;
  - E) Identification of relevant problems and continuing interventions needs (including medication);
  - F) Level of participation in programming; and
  - G) Recommendations for community supervision, treatment and support services to guide post-release case management decisions.
- 6) When appropriate and within ethical parameters, bounds of confidentiality, and other information-sharing statutes or professional regulations, treatment providers working in correctional facilities or inpatient/other institutional settings provide community-based providers, supervision officers/case managers, aftercare workers, and other appropriate support persons with information that can be used to inform appropriate post release or transitional treatment, supervision and management in the community.

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**Section 1905.140 Pharmacological Interventions**

Treatment providers shall recognize that the usage of pharmacological interventions may be beneficial to the offender and support effective risk management and risk reduction.

- a) For adult sex offenders, when used in combination with other treatment approaches, biological interventions like testosterone-lowering hormonal treatments may be linked to greater reductions in sexual arousal. Nonhormonal psychotropic medications can also be effective supplements to standard therapeutic interventions for sex offenders. Pharmacological interventions are not typically used for all sexual offenders, but are often applied to those with paraphilias or offense-specific patterns of sexual arousal that could be altered through the use of these interventions. Further, the interventions should be integrated into a comprehensive treatment program that addresses other static and dynamic risk factors that contribute to sexual offending.
- b) **Hormonal Agents for Managing Sexually Abusive and Paraphilic Behaviors**  
A number of hormonal agents have been introduced as pharmacological treatments for reducing testosterone and sexual drive in individuals with paraphilias and/or who have engaged in sexually abusive behaviors. Primary examples include medroxyprogesterone acetate (MPA – Depo Provera), Leuprolide acetate, cyproterone acetate, and gonadotropin-releasing hormone analog. These chemical agents, referred to as antiandrogens, act by breaking down and eliminating testosterone and inhibiting the production of leutinizing hormone through the pituitary gland, which in turn inhibits or prevents the production of testosterone. Because testosterone is associated with sexual arousal, the use of these agents generally results in a reduction of sexual arousal. This reduction in sexual arousal is assumed to also reduce the motivation for sexual offending in individuals predisposed to those behaviors.
- c) **Nonhormonal Agents for Managing Sexually Abusive and Paraphilic Behaviors**
  - 1) Despite there being no double-blind placebo-controlled treatments of the efficacy of selective serotonin reuptake inhibitors (SSRI) for the treatment of sexual offenders, SSRI have been reported to be the most commonly prescribed agents for sexual offenders, at least in the United States and Canada (i.e., 50.3% of community and 55.3% of residential programs in the United States, and 47.4% of community and 75% of residential

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programs in Canada, treating adult male sex offenders prescribe SSRI for clients).

- 2) As is the case with hormonal agents, the prescriptive use of nonhormonal pharmacological agents to treat sexual offenders will not address all etiologies and risk factors and should therefore be combined with psychotherapy specific to sexual offenders.
- d) Pharmacological Treatment of Comorbid Psychiatric Conditions
- 1) Studies of sexual offenders, men with paraphilias, and those with nonparaphilic expressions of "hypersexuality" suggest that mood disorders (dysthymic disorder, major depression and bipolar spectrum disorders), certain anxiety disorders (especially social anxiety disorder and childhood-onset posttraumatic stress disorder), psychoactive substance abuse disorders (especially alcohol abuse), Attention-Deficit/Hyperactivity Disorder (ADHD), and neuropsychological conditions (e.g., schizophrenia, Asperger's syndrome, head injury) may occur more frequently than expected in sexually impulsive men, including sexual offenders.
  - 2) Empirically established effective pharmacological treatments for mood disorders, ADHD and impulsivity are well documented. These conditions affect prefrontal/orbital frontal executive functioning and are associated with impulsivity; therefore, amelioration of those conditions could certainly affect, if not markedly ameliorate, the propensity to be sexually impulsive.
- e) Practice Guidelines
- 1) Nonphysician treatment providers do not make specific recommendations about what medications should be prescribed. It is appropriate for treatment providers to refer clients to physicians who have experience working with individuals who sexually offend as possible candidates for pharmacological therapy. They can provide information about the role of pharmacological therapy in sexual deviancy treatment to the consulting doctor. Nonphysician treatment providers could consider referring clients to a physician for possible pharmacological therapy if these clients have relatively high levels of deviant sexual arousal, are considered to be at

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moderate to high risk for reoffending, or have not been able to achieve control over their deviant sexual arousal using sexual arousal conditioning procedures. Clients who repeatedly engage in impulsive or compulsive behavior, or who report a persistent inability to control deviant sexual fantasies, arousal or behavior may also be reasonable candidates for pharmacological therapy. Motivated and informed clients are often the best candidates for pharmacological therapy.

- 2) A physician prescribes medications only after a comprehensive sexual abuser evaluation has been completed. It is important to individualize medical treatment for the patient based on the patient's particular need, response, medical history and personal agreement with the treatment offered. Pharmacological therapy is linked to appropriate treatment and supervision and is medically monitored. As with any treatment, appropriate informed consent is obtained when pharmacological therapy is implemented. Informed consent includes a discussion of medication options, targeted symptoms, potential side effects, and the expected course of pharmacological therapy.
  - 3) The use of medication may help clients manage their risk for sexually abusive behavior, but medications do not "cure" deviant sexual interests or fully eliminate the risk of reoffending.
- f) Ethical Considerations  
Research support for the effectiveness of pharmacological treatments such as testosterone-reducing agents is mixed. Without clear data regarding the efficacy of pharmacological treatments, providers should be sure to balance the risks of the interventions with potential benefits of treatment.

**Section 1905.150 Psychophysiological Tools**

Treatment providers and evaluators shall recognize that the usage of psychophysiological tools may be utilized in the assessment of offenders in relation to treatment progress, compliance with supervision, and support effective risk management and risk reduction. The following will detail each type of psychophysiological tool.

- a) Phallometry

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- 1) Phallometry is a specialized form of assessment used in treatment with individuals who have committed sexual offenses. Responsible use of phallometry results requires at least a rudimentary understanding of how phallometry works and its advantages and limitations. As with any instrument or procedure, treatment providers are familiar with current literature and obtain appropriate training before using or interpreting phallometric testing results. Examiners receive training in phallometric testing in order to become knowledgeable about the technical aspects of the equipment and the appropriate protocols for conducting phallometric testing specific to the equipment being used. Examiners are also familiar with the research evidence on the reliability and validity of phallometric testing.
- 2) Phallometric testing using penile plethysmography involves measuring changes in penile circumference or volume in response to sexual and nonsexual stimuli. Circumferential measures (measuring changes in penile circumference) are much more common than volumetric measures (measuring changes in penile volume), which are used in only a few laboratories worldwide. However, there is good agreement between circumferential and volumetric measures once a minimal circumference response threshold is reached. Therefore, circumferential measures are the focus of this subsection (a).
- 3) Phallometric testing provides objective information about male sexual arousal and is therefore useful for identifying deviant sexual interests during an evaluation, increasing client disclosure, and measuring changes in sexual arousal patterns over the course of treatment.
- 4) Phallometric test results are not used as the sole criterion for determining deviant sexual interests, estimating risk for engaging in sexually abusive behavior, recommending that clients be released to the community, or deciding that clients have completed treatment programs. Phallometric test results are interpreted in conjunction with other relevant information (for example, the individual's offending behavior, use of fantasy and pattern of masturbation) to determine risk and treatment needs. Phallometric test results are not to be used to draw conclusions about whether an individual has committed a specific sexual crime. As well, there are limited data available regarding the use of plethysmography with clients who have developmental disabilities and clients with an acute

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major mental illness. Therefore, treatment providers need to exercise caution in using phallometry with these populations and in interpreting and reporting phallometric results.

- 5) Prior to testing, examiners screen clients for potentially confounding factors such as medical conditions, prescription and illegal drug use, recent sexual activity, and sexual dysfunction. Clients with active, communicable diseases, particularly sexually transmittable diseases, are not to be tested until their symptoms are in remission.
- 6) Specific informed consent for the testing procedure and release forms for reporting test results are obtained at the beginning of the initial appointment. Laboratories have a standard protocol for fitting gauges, presenting stimuli, recording data and scoring.
- 7) Examiners use the appropriate stimulus set to assess sexual interests that are the subject of clinical concern. For example, examiners use a stimulus set with depictions of children and adults to test clients who have child victims or who are suspected of having a sexual interest in children. At a minimum, examiners have at least two examples of each stimulus category. Stimuli that are more explicit appear to produce better discrimination between individuals who sexually offend and control subjects than less explicit stimuli. It is important to ensure that the stimuli are good quality and avoid any distracting elements.
- 8) Treatment providers are aware of the applicable legislation in their jurisdiction regarding the possession of sexually explicit materials. If permitted to use visual stimuli for testing of sexual interest in children, examiners use a set of pictures depicting males and females at different stages of physical development, ranging from very young, prepubertal children to physically mature adults. The use of neutral stimuli, such as pictures of landscapes without people present, may increase the validity of the assessment. The inclusion of the neutral stimuli serves as a validity check because responses to sexual stimuli that are lower than responses to neutral stimuli might indicate faking attempts. Faking tactics include looking away from or not listening to stimuli. Audiotaped stimuli may also be used to assess sexual interest in children; if used, these stimuli clearly specify the age and sex of the depicted individuals.

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- 9) For testing of sexual arousal to nonconsenting sex and violence, examiners using audiotapes include stimuli describing consenting sex, rape and sadistic violence. Stimuli depicting neutral, nonsexual interactions are also included. Stimuli can depict males or females, children or adults.
- 10) The phallometric testing report includes a description of the method used for collecting data, the types of stimuli used, an account of the client's cooperation and behavior during the testing, and a summary and description of the client's profile of responses. Client efforts to fake or other potential problems with the validity of the data or the interpretation of results are also reported.
- 11) The three most common means of scoring plethysmograph data are standardized scores, percentage of full erection, and millimeter of circumference change. Those using phallometric assessment are aware of the advantages and disadvantages of each scoring method. Research has found that standardized scores (e.g., z scores) increase discrimination between groups. Transforming raw scores to standardized scores for subjects who show little discrimination between stimuli can, however, magnify the size of small differences between stimuli. Raw scores, millimeter of circumference change, or scores converted to percentage of full erection may be clinically useful in the interpretation of results.
- 12) Deviance indices can be calculated by subtracting the mean peak response to nondeviant stimuli from the mean peak response to deviant stimuli. For example, a pedophilic index could be calculated by subtracting the mean peak response to stimuli depicting adults from the mean peak response to stimuli depicting prepubescent children. Thus, greater scores indicate greater sexual arousal to child stimuli.
- 13) Because the sensitivity of phallometric testing is lower than its specificity, the presence of deviant sexual arousal is more informative than its absence. Results indicating no deviant sexual arousal may be a correct assessment or may indicate that a client's deviant sexual interests were not detected during testing.
- 14) Research indicates that initial phallometric assessment results are linked with recidivism. Repeated assessments can be helpful to monitor

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treatment progress and to provide information for risk management purposes.

## b) Viewing Time

- 1) Viewing time is a specialized form of assessment used in the treatment of individuals who have committed sexual offenses. Responsibly using the results of viewing-time measures requires treatment providers to have at least a rudimentary understanding of how viewing time measures work, as well as their advantages and limitations. As with any instrument or procedure, treatment providers should be familiar with current literature and obtain appropriate training before using or interpreting viewing time testing results.
- 2) Unobtrusively measured viewing time is used as a measure of sexual interest. The relative amount of time clients spend looking at pictures of children (who can be clothed, semiclothed or nude) is compared to the time that the same adult spends looking at pictures of adults. Research suggests that, as a group, individuals who have offended against children look relatively longer at stimuli depicting children than adults. Unobtrusively measured viewing time correlates significantly with self-reported sexual interests and congruent patterns of phallometric responding among nonoffending subjects. Little is known, however, about the value of retesting using viewing time as a measure of treatment progress.
- 3) As with any test, specific informed consent for the test procedure and release forms for reporting results are obtained prior to beginning testing. Examiners have a standardized protocol for presenting the stimuli, recording and scoring. Examiners are familiar with the reliability and validity of the test. In particular, it is important that examiners know the degree to which the viewing time measure being used has been validated for the client population being assessed. This technology has primarily been used to identify sexual interest in gender and age. As well, there is limited information specific to the use of viewing time with clients with developmental disabilities.
- 4) For testing sexual interest in children, examiners have a set of pictures depicting males and females at different stages of development, ranging

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from very young children to physically mature adults. It is important that stimuli are of good quality and avoid any distracting elements. Treatment providers who use sexually explicit stimuli are aware of applicable legislation in their jurisdiction about possession of these materials.

- 5) The test report includes a description of the method used for collecting data, the types of stimuli used, an account of the client's cooperation and behavior during testing, and a summary and description of the client's responses. Client efforts to fake or other potential problems with the validity of the data or the interpretation of results are also included.
- 6) As noted in this subsection (b), viewing time is not to be used as the sole criterion for determining deviant sexual interests, estimating a client's risk for engaging in sexually abusive behavior, recommending whether a client be released to the community, or deciding whether a client has completed a treatment program. Viewing time test results are interpreted in conjunction with other relevant information (for example, the individual's offending behavior, use of fantasy, the pattern of masturbation) and are never to be used to make inferences about whether an individual has committed a specific sexual crime.

AGENCY NOTE: Viewing time is a more accepted practice with juveniles and less intrusive than phallometry or polygraphy.

c) Polygraphy

- 1) Polygraph testing involves a structured interview during which a trained examiner records several of an examinee's physiological processes. Following this interview, the examiner reviews the charted record and forms opinions about whether the examinee was nondeceptive or attempting deception when answering each of the relevant questions.
- 2) Post conviction Sex Offender Polygraph Testing is a specialized form of general polygraph testing that has come into widespread use in the United States. Although all principles applicable to general polygraph testing also apply to post conviction sex offender testing, its unique circumstances generate additional challenges. Using post conviction sex offender testing responsibly requires treatment providers to have at least a rudimentary understanding of how polygraphy works, its advantages and limitations,

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and special considerations related to its integration into sex offender work. This subsection (c)(2) serves as a brief introduction to these issues. As with any instrument or procedure, treatment providers should be familiar with current literature and obtain appropriate training before using or interpreting polygraph results.

- 3) Post-conviction sex offender testing is intended to serve two objectives:
  - A) To generate information beyond what can be obtained from other self-reported measures; and
  - B) To explore and support compliance and gauge progress with respect to supervision expectations and treatment expectations and goals.
- 4) Some research indicates that the polygraph exam can lead to clients providing increased information regarding their offending; however, test validity and reliability often vary widely across studies. Therefore, it is important for providers to become informed about types of tests that produce the most accurate findings. As well, it is possible that some of the information obtained through post conviction sex offender testing might be fictitious, representing an accommodation to pressure for disclosures. The second objective of post conviction sex offender testing (enhanced supervision and treatment compliance) has received only limited empirical attention.
- 5) The American Polygraph Association, the National Association of Polygraph Examiners, and other polygraph associations have developed standards for certifying polygraph examiners who work in sex offender management and treatment, as well as standards for administering sex offender tests. Some states also regulate post conviction sex offender testing standards and procedures. Treatment providers are familiar with laws, state regulations, and association guidelines governing post conviction sex offender testing where they practice. Treatment providers work with examiners who meet certificate requirements and adhere to procedures recommended by a relevant polygraphists' organization.
- 6) Four types of post conviction polygraph exams are commonly performed with sex offenders:

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- A) Instant/Index Offense Tests are designed to explore and clarify discrepancies between the offender's and the victim's descriptions of the conviction offenses.
  - B) Sexual History Disclosure Tests are designed to facilitate a client's disclosure to their treatment providers of sexual history information, which may include sexually abusive or offense-related behaviors.
  - C) Maintenance/Monitoring Tests are designed to explore potential charges, progress and/or compliance relative to treatment, supervision and other case management goals, objects and expectations.
  - D) Specific Issue Tests are generally designed to explore a client's potential involvement in a specific prohibited behavior, such as unauthorized contact with a victim at a particular time.
- 7) Polygraph test accuracy is believed to be greatest when examiners focus on highly specified (i.e., single issue, narrow and concrete) questions. Treatment providers cooperate with examiners in structuring tests that are responsive to program needs without unnecessarily compromising accuracy considerations.
  - 8) Limits of confidentiality are fully disclosed to clients prior to polygraph testing. Clients are informed in writing about how the results of polygraph exams will be used and who will receive the results. Clients are informed about the possible consequences to them as a result of the polygraph exam.
  - 9) There is very limited empirical research on the use of polygraph with clients who have developmental disabilities and clients with low/borderline IQs. Therefore, additional caution is advised if treatment providers use polygraph in the management and treatment of these clients.
  - 10) Polygraph charts are not the only means of monitoring offenders' behavior and are not to be the sole basis for significant case decisions. Examiner and examinee characteristics, treatment milieu, instrumentation,

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procedures, examination type, base rates of attempted deception in the populations being tested, and other idiosyncratic factors can affect accuracy and usefulness. Likewise, when questions are not highly specific, there is reason for concern regarding the results of polygraph testing for monitoring purposes.

- 11) Treatment providers' primary purpose for collecting sexual history information is the increased ability to design clinical interventions and other management strategies. The usefulness of post conviction sex offender polygraph testing as a clinical tool derives from its ability to elicit historical information, allowing psychosexual behavioral patterns to be more fully revealed, better understood and, therefore, more effectively managed and changed. Client disclosures of potentially incriminating information to mandated reporters can, however, lead to future prosecution. Treatment providers inform clients, in writing, of this potential dilemma and how it is addressed in their jurisdiction and program.
- 12) Polygraphy is not used as the sole criterion for determining deviant sexual interests, estimating a client's risk for engaging in sexually abusive behavior, recommending whether a client be released to the community, or deciding whether a client has completed a treatment program. Polygraph results are interpreted in conjunction with other relevant information to make these decisions. Polygraph results should be one of the many variables for treatment providers to utilize when changing a client's status in treatment.

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- 1) Heading of the Part: State Universities Civil Service System
- 2) Code Citation: 80 Ill. Adm. Code 250
- 3) Section Number: 250.119                      Adopted Action:  
New Section
- 4) Statutory Authority: 110 ILCS 70
- 5) Effective Date of Rule: December 12, 2016
- 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*: 40 Ill Reg. 7537; May 20, 2016
- 10) Has JCAR issued a Statement of Objection to this rulemaking? No
- 11) Differences between Proposal and Final Version: Several technical and other changes have been made during the Second Notice Period.

Second Notice changes include: Technical changes were made in Section 250.119(a), (b), (c), (e), (g), (h), (i). Additional changes were made to Section 250.119(b) to change the wording from "based on" to "the appointment is part of the student's"; added the wording from "the student is"; to change the wording from "may be inclusive of" to "is not required to include"; changes were made in Section 250.119(e) to add the wording "for the furloughing employer", in Section 250.119(e)(2) added (A) "furlough time will be credited as if the employee were in pay status for employee benefit programs such as health, life, dental and vision insurance and any similar benefits: and", in Section 250.119(e)(2) added (B) "pension credit for furlough time can be purchased by an employee as provided under Section 15-113.11 of the Illinois Pension Code [40 ILCS 5] (i.e., for furlough time taken between July 1, 2015 and June 30, 2017, pension credit can be purchased; otherwise, it cannot)."; in Section 250.119(j) to change the wording from "which" to "that" and change "return" to "the employee returns" "

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- 12) Have all the changes agreed upon by the Agency and JCAR been made as indicated in the agreements issued by JCAR? Yes
- 13) Will this rulemaking replace any emergency rule currently in effect? No
- 14) Are there any rulemakings pending on this Part? Yes

<u>Section Number:</u>	<u>Proposed Action:</u>	<u>Illinois Register Citation:</u>
250.110	Amendment	40 Ill. Reg. 12912; September 9, 2016

- 15) Summary and Purpose of Rulemaking: Our agency had an Emergency Rule in place to assist universities and agencies to furlough employees instead of layoff that expired in July 2016. Due to the continued budget uncertainties that our universities and agencies under our system are facing, it was determined to implement a permanent rule for employers to implement a Furlough Program to assist with the reduction/lack of state funds. This new section describes the requirements for employers and information for employees regarding the impact of a Furlough Program.
- 16) Questions or requests for information about this adopted rule shall be directed to:

David DeThorne  
Legal Counsel  
State Universities Civil Service System  
1717 Philo Road, Suite 24  
Urbana IL 61802

217/278-3150; ext. 226  
email: [davidd@succs.illinois.gov](mailto:davidd@succs.illinois.gov)

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

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## NOTICE OF ADOPTED AMENDMENT

TITLE 80: PUBLIC OFFICIALS AND EMPLOYEES  
SUBTITLE A: MERIT EMPLOYMENT SYSTEMS  
CHAPTER VI: STATE UNIVERSITIES CIVIL SERVICE SYSTEM

## PART 250

## STATE UNIVERSITIES CIVIL SERVICE SYSTEM

## Section

250.5	Definitions
250.10	Purpose, Adoption, and Amendment of Rules
250.20	The State Universities Civil Service System and its Divisions
250.30	The Classification Plan
250.40	Military Service Preference, Veterans Preference
250.50	Examinations
250.60	Eligible Registers
250.70	Nonstatus Appointments
250.80	Status Appointments
250.90	Probationary Period
250.100	Reassignments and Transfers
250.110	Separations and Demotions
<a href="#">250.119</a>	<a href="#">Furloughs</a>
250.120	Seniority
250.130	Review Procedures
250.140	Delegation of Authority and Responsibilities
250.150	Training
250.160	Suspension of Rules

AUTHORITY: Implementing and authorized by the State Universities Civil Service Act [110 ILCS 70].

SOURCE: Rules: State Universities Civil Service System, approved January 16, 1952, effective January 1, 1952; amended at 3 Ill. Reg. 13, p. 68, effective April 1, 1979; amended at 4 Ill. Reg. 10, p. 262, effective February 25, 1980; amended at 6 Ill. Reg. 2620, effective February 22, 1982; amended at 6 Ill. Reg. 7236, effective June 3, 1982; amended at 8 Ill. Reg. 4948 and 4950, effective March 29, 1984; codified at 8 Ill. Reg. 12936; amended at 8 Ill. Reg. 24732, effective December 6, 1984; amended at 9 Ill. Reg. 17422, effective October 23, 1985; amended at 11 Ill. Reg. 8942, effective May 8, 1987; amended at 12 Ill. Reg. 3457, effective February 1, 1988; amended at 12 Ill. Reg. 17079, effective October 7, 1988; amended at 13 Ill. Reg. 7324, effective May 1, 1989; amended at 13 Ill. Reg. 19427, effective February 6, 1990; amended at 18 Ill. Reg.

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1901, effective January 21, 1994; amended at 20 Ill. Reg. 4440, effective February 29, 1996; amended at 30 Ill. Reg. 17384, effective October 23, 2006; amended at 31 Ill. Reg. 15848, effective November 13, 2007; amended at 32 Ill. Reg. 17268, effective October 16, 2008; amended at 33 Ill. Reg. 11644, effective July 22, 2009; amended at 36 Ill. Reg. 6014, effective April 6, 2012; amended at 37 Ill. Reg. 419, effective December 26, 2012; amended at 39 Ill. Reg. 13504, effective December 1, 2015; amended at 40 Ill. Reg. 3105, effective January 26, 2016; emergency amendment at 40 Ill. Reg. 3772, effective March 1, 2016, for a maximum of 150 days; emergency expired July 28, 2016; amended at 40 Ill. Reg. 11192, effective August 4, 2016; amended at 40 Ill. Reg. 16302, effective December 12, 2016.

**Section 250.119 Furloughs**

This Section is applicable through September 30, 2017.

- a) Furlough. A furlough is the placement of an employee in a temporary nonduty, nonpay status for a continuous or noncontinuous period of time due only to a lack of funds. A furlough is not considered a layoff or a reduction in force action and, therefore, is not subject to Section 250.110(d) regarding layoffs.
- b) Employee Terminations. An employee on a temporary or extra help appointment shall be terminated prior to implementation of the furlough program, unless the appointment is required based on health and welfare or public safety, or a designated grant or other funding source. All student appointments shall be terminated subject to Section 250.70(e), unless the student appointment is required for health and welfare or public safety, or the appointment is part of the student's financial aid, or if the student is receiving academic credit as part of the conditions of the student appointment.
- c) Voluntary or Mandatory Furlough Program. A furlough can be either voluntary or mandatory. A voluntary or mandatory furlough program is not required to include all employees at a designated employer or within a division or program. Positions/employees who have mandated funding, such as a grant or other funding source, or whose absence would jeopardize the funding for a position/employee or department, may be exempted from the furlough program. Employees in positions considered essential to the critical mission of an employer, such as those related to health and welfare or public safety, may also be excluded from participation in a furlough program. Uniform participation and selection criteria shall be developed by the employer and consistently applied. This Section shall

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only apply to employees who are designated within the employer's furlough program in accordance with subsections (c) through (m).

- d) Notification of Furlough Program to Employees. Once an employer plans to implement a furlough program, the employer shall notify all employees at least 30 days prior to a furlough program being implemented. The process by which the employer chooses to notify employees is at the employer's discretion, but must conform to the employer's policies related to contacting an employee for official business.
- e) Furlough Work Status. An employee who is furloughed shall not be at work, on standby or on-call, and shall not perform any work for the furloughing employer during his/her scheduled furlough time. However, for emergency situations, employees subject to a collective bargaining agreement may be called back to work in accordance with the agreement. For those employees not subject to a collective bargaining agreement, employees may be called back to work in accordance with standard employer policies.
- f) Employee Benefits
  - 1) Employees who are furloughed are not permitted to use vacation, sick leave, personal leave, "floating" holidays, or any other compensable time or similar benefit for the time during which he/she is being furloughed.
  - 2) Notwithstanding any other Section in this Part, or the fact that an employee's work hours or pay is reduced by the requirement to take a furlough:
    - A) furlough time will be credited as if the employee were in pay status for employee benefit programs such as health, life, dental and vision insurance and any similar benefits; and
    - B) pension credit for furlough time can be purchased by an employee as provided under Section 15-113.11 of the Illinois Pension Code [40 ILCS 5] (i.e., for furlough time taken between July 1, 2015 and June 30, 2017, pension credit can be purchased; otherwise, it cannot).

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- 3) A furloughed employee shall be entitled to the same benefits to which he/she was entitled on the paid workday immediately preceding the furlough day. These benefits include, but are not limited to, continued accumulation of vacation and sick leave, holiday benefits, and benefits established by the Merit Board Policy Relating to Employee Benefits as approved by the Merit Board and by the Governing Boards of the universities and agencies served by the University System.
- g) Maximum Number of Furlough Work Days. A furlough program shall only be instituted for a maximum of 15 work days in any fiscal year (July 1 through June 30).
- h) Employer's Tracking of Furlough Days. In order for an employee to continue under the State Employees Group Insurance Act of 1971 [5 ILCS 375], the employer is required to track designated furlough days for each employee.
- i) Accumulation of Seniority during a Furlough Status. An employee shall continue to accrue seniority during any and all furlough work days.
- j) Military Leave during a Furlough Program. An employee on military leave shall not be scheduled for any furlough days during his/her leave and may be scheduled for furlough days that may be prorated dependent upon the date the employee returns to work, if a furlough program remains in effect.
- k) Furlough Program Stipulations. A furlough program shall not be used by an employer for the following reasons:
- 1) Permanent shutdown;
  - 2) As a substitute for permanent part-time employment; or
  - 3) As a disciplinary measure.
- l) Collective Bargaining Agreements. Implementation of furloughs for employees covered under a collective bargaining agreement is subject to applicable State and federal labor laws and regulations. This Section is not intended to circumvent or supersede other State or federal labor laws and/or regulations that apply.

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- m) Notification to the State Universities Civil Service System of a Furlough Program. An employer may institute a voluntary or mandatory furlough program upon notification to the Executive Director at least 30 calendar days prior to the implementation of any employee being furloughed. The employer shall include in the notification the following:
- 1) Whether the furlough program is for the entire employer or designated divisions or programs;
  - 2) What considerations have been contemplated or invoked for other employees, such as those listed in Section 36e of the Act;
  - 3) An explanation of the facts related to the temporary nature of the event causing the furlough program;
  - 4) The funding deficit related to the affected work areas;
  - 5) The approximate number of employees affected by the furlough program; and
  - 6) The beginning date and ending date of the furlough program.

(Source: Added at 40 Ill. Reg. 16302, effective December 12, 2016)

JOINT COMMITTEE ON ADMINISTRATIVE RULES  
ILLINOIS GENERAL ASSEMBLY

SECOND NOTICES RECEIVED

The following second notices were received during the period of December 6, 2016 through December 12, 2016. The rulemakings are scheduled for review at the Committee's January 10, 2017 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>
1/18/17	<u>Department of Public Health</u> , Immunization Code (Repealer) (77 Ill. Adm. Code 695)	3/4/16 40 Ill. Reg. 3473	1/10/17
1/18/17	<u>Department of Public Health</u> , Child Health Examination Code (77 Ill. Adm. Code 665)	3/4/16 40 Ill. Reg. 3429	1/10/17
1/20/17	<u>Department of Corrections, Discipline and Grievances</u> (20 Ill. Adm. Code 504)	7/1/16 40 Ill. Reg. 8628	1/10/17
1/14/17	<u>Department of Human Services</u> , Voter Registration Program (89 Ill. Adm. Code 512)	10/14/16 40 Ill. Reg. 14012	1/10/17

## DEPARTMENT OF REVENUE

## NOTICE OF PUBLIC INFORMATION

1. Statute requiring agency to publish information concerning Private Letter Rulings and General Information Letters in the Illinois Register:

Name of Act: Illinois Department of Revenue Sunshine Act

Citation: 20 ILCS 2515/1

2. Summary of information:

Index of Department of Revenue Sales and Miscellaneous Tax Private Letter Rulings and General Information Letters issued for the Third Quarter of 2016. Private letter rulings are issued by the Department in response to specific taxpayer inquiries concerning the application of a tax statute or rule to a particular fact situation. Private letter rulings are binding on the Department only as to the taxpayer who is the subject of the request for ruling. (See 2 Ill. Adm. Code 1200.110) General information letters are issued by the Department in response to written inquiries from taxpayers, taxpayer representatives, business, trade, industrial associations or similar groups. General information letters contain general discussions of tax principles or applications. General information letters are designed to provide general background information on topics of interest to taxpayers. General information letters do not constitute statements of agency policy that apply, interpret, or prescribe tax laws administered by the Department. General information letters may not be relied upon by taxpayers in taking positions with reference to tax issues and create no rights for taxpayers under the Taxpayers' Bill of Rights Act. (See 2 Ill. Adm. Code 1200.120)

The letters are listed numerically, are identified as either a General Information Letter or a Private Letter Ruling and are summarized with a brief synopsis under the following subjects:

Computer Software	Miscellaneous
Construction Contractors	Motor Vehicles
Delivery Charges	Returns
Exempt Organizations	Service Occupation Tax
Gross Receipts	Telecommunications Excise Tax
Hotel Operators Tax	Use Tax
Leasing	
Local Taxes	
Manufacturing Machinery & Equipment	

## DEPARTMENT OF REVENUE

## NOTICE OF PUBLIC INFORMATION

Copies of the ruling letters themselves are available for inspection and may be purchased for a minimum of \$1.00 per opinion plus 50¢ per page for each page over one. Copies of the ruling letters may be downloaded free of charge from the Department's World Wide Web site at [www.tax.illinois.gov/](http://www.tax.illinois.gov/).

The annual index of Sales and Excise Tax letter rulings (all four quarters) is available for \$3.00.

3. Name and address of person to contact concerning this information:

Beverly K. Langenfeld  
Legal Services Office  
101 West Jefferson Street  
Springfield IL 62794

217/782-2844

## DEPARTMENT OF REVENUE

## NOTICE OF PUBLIC INFORMATION

## 2016 THIRD QUARTER SALES &amp; MISCELLANEOUS TAX SUNSHINE INDEX

**COMPUTER SOFTWARE**

- ST 16-0029-GIL 07/20/2016 This letter discusses the taxability of computer software and charges related to the sale of software. See 86 Ill. Adm. Code 130.1935. (This is a GIL.)
- ST 16-0033-GIL 08/17/2016 A provider of software as a service is acting as a serviceman. If the provider does not the transfer any tangible personal property to the customer, then the transaction generally would not be subject to Retailers' Occupation Tax, Use Tax, Service Occupation Tax, or Service Use Tax. If the provider transfers to the customer an API, applet, desktop agent, or a remote access agent to enable the customer to access the provider's network and services, it appears the subscriber is receiving computer software that is subject to tax. See 86 Ill. Adm. Code Parts 130 and 140. (This is a GIL.)
- ST 16-0034-GIL 08/17/2016 A provider of software as a service is acting as a serviceman. If the provider does not the transfer any tangible personal property to the customer, then the transaction generally would not be subject to Retailers' Occupation Tax, Use Tax, Service Occupation Tax, or Service Use Tax. If the provider transfers to the customer an API, applet, desktop agent, or a remote access agent to enable the customer to access the provider's network and services, it appears the subscriber is receiving computer software that is subject to tax. See 86 Ill. Adm. Code Parts 130 and 140. (This is a GIL.)
- ST 16-0035-GIL 08/17/16 A provider of software as a service is acting as a serviceman. If the provider does not the transfer any tangible personal property to the customer, then the transaction generally would not be subject to Retailers' Occupation Tax, Use Tax, Service Occupation Tax, or Service Use Tax. If the provider transfers to the customer an API, applet, desktop agent, or a remote access agent to enable the customer to access the provider's network and services, it appears the subscriber is receiving computer software that is subject to tax. See 86 Ill. Adm. Code Parts 130 and 140. (This is a GIL.)

## DEPARTMENT OF REVENUE

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ST 16-0038-GIL 08/18/2016 A provider of software as a service is acting as a serviceman. If the provider does not the transfer any tangible personal property to the customer, then the transaction generally would not be subject to Retailers' Occupation Tax, Use Tax, Service Occupation Tax, or Service Use Tax. If the provider transfers to the customer an API, applet, desktop agent, or a remote access agent to enable the customer to access the provider's network and services, it appears the subscriber is receiving computer software that is subject to tax. See 86 Ill. Adm. Code Parts 130 and 140. (This is a GIL.)

**CONSTRUCTION CONTRACTORS**

ST 16-0045-GIL 09/14/2016 When landscape contractors purchase items of tangible personal property that will not be permanently affixed to real estate, the supplier incurs Retailers' Occupation Tax and the contractors must pay Use Tax to their suppliers. See 86 Ill. Adm. Code 130.1940. (This is a GIL.)

ST 16-0050-GIL 09/30/2016 When a construction contractor permanently affixes tangible personal property to real property, the contractor is deemed the end user of that tangible personal property. As the end user, the contractor incurs Use Tax on the cost price of that tangible personal property. See 86 Ill. Adm. Code 130. 1940 and 86 Ill. Adm. Code 130.2075. (This is a GIL.)

**DELIVERY CHARGES**

ST 16-0006-PLR 07/29/2016 This letter discusses transportation and delivery charges. See 86 Ill. Adm. Code 130.415. (This is a PLR.)

ST 16-0039-GIL 08/30/2016 This letter discusses transportation and delivery charges in light of the decision in *Kean v. Wal-Mart Stores, Inc.*, 235 Ill. 2d 351, 919 N.E.2d 926 (2009). (This is a GIL.)

ST 16-0047-GIL 09/21/2016 This letter discusses into plane fees in light of the decision in *Kean v. Wal-Mart Stores, Inc.*, 235 Ill. 2d 351, 919 N.E.2d 926 (2009). See 86 Ill. Adm. Code 130.415. (This is a GIL.)

## DEPARTMENT OF REVENUE

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**ENTERPRISE ZONES**

- ST 16-0005-PLR      07/18/2016      The Enterprise Zone building materials exemption is explained in Section 130.1951 of the Department's regulations. See 86 Ill. Adm. Code 130.1951. (This is a PLR.)
- ST 16-0036-GIL      08/18/2016      The enterprise zone building materials exemption is explained in Section 130.1951 of the Department's regulations. See 86 Ill. Adm. Code 130.1951. (This is a GIL.)

**EXEMPT ORGANIZATIONS**

- ST 16-0008-PLR      08/17/2016      This letter explains that hospitals that meet the criteria for an exemption under Section 2-9 of the Retailers' Occupation Tax Act (35 ILCS 120/2-9) do not incur Retailers' Occupation Tax when selling food, medicine or grooming and hygiene products to their patients in connection with the furnishing of hospital service to them. See 86 Ill. Adm. Code 130.2005(b)(1)(a) and 130.2005(a)(2)(A). (This is a PLR.)

**GROSS RECEIPTS**

- ST 16-0030 GIL      07/21/2016      When a retailer allows a purchaser a discount from the selling price on the basis of a coupon for which the retailer receives no reimbursement from any source, the amount of such discount is not included in gross receipts for calculating Retailers' Occupation Tax liability. See 86 Ill. Adm. Code 130.2125. (This is a GIL).
- ST 16-0010-PLR      09/16/2016      Membership fees are not gross receipts from the sale of tangible personal property. Membership fees are gross receipts received in exchange for an intangible. See 86 Ill. Adm. Code 130.401(d) and 86 Ill. Adm. Code 140.101. (This is a PLR.)

**HOTEL OPERATORS' TAX**

## DEPARTMENT OF REVENUE

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ST 16-0052-gil 09/30/2016 This letter discusses the Hotel Operators' Tax Act. See 86 Ill. Adm. Code 480.101(b)(3). (This is a GIL.)

**LEASING**

ST 16-0011-PLR 09/15/2016 This letter addresses whether a finance lease is a conditional sale or a true lease. See 86 Ill. Adm. Code 130.2010. (This is a PLR.)

ST 16-0051-GIL 09/30/2016 Information regarding the tax liabilities in lease situations may be found at 86 Ill. Adm. Code 130.220 and 86 Ill. Adm. Code 130.2010. (This is a GIL.)

**LOCAL TAXES**

ST 16-0007-PLR 07/29/2016 The occupation of selling is comprised of the composite of many activities extending from the preparation for, and the obtaining of, orders for goods to the final consummation of the sale by the passing of title and payment of the purchase price. Thus, establishing where "the taxable business of selling is being carried on" requires a fact-specific inquiry into the composite of activities that comprise the retailer's business. 86 Ill. Adm. Code 270.115. (This is a PLR.)

ST 16-0012-PLR 09/26/2016 The occupation of selling is comprised of the composite of many activities extending from the preparation for, and the obtaining of, orders for goods to the final consummation of the sale by the passing of title and payment of the purchase price. Thus, establishing where "the taxable business of selling is being carried on" requires a fact-specific inquiry into the composite of activities that comprise the retailer's business. 86 Ill. Adm. Code 270.115. (This is a PLR.)

**MANUFACTURING MACHINERY & EQUIPMENT**

ST 16-0004-PLR 07/08/2016 Post-production storage facilities do not generally qualify for the manufacturing machinery and equipment exemption. However, a refrigeration or freezer facility maintained at a specific temperature which

## DEPARTMENT OF REVENUE

## NOTICE OF PUBLIC INFORMATION

is required in order to preserve a manufactured product, can qualify for the exemption. See 86 Ill. Adm. Code 130.330. (This is a PLR.)

- ST 16-0028-GIL 07/08/2016 Under the Retailers' Occupation Tax Act, the manufacturing machinery and equipment exemption is available for machinery and equipment used primarily (over 50% of the time) in the manufacturing or assembling of tangible personal property for wholesale or retail sale or lease. The manufacturing process is the production of articles of tangible personal property or assembling different articles of tangible personal property by procedures commonly regarded as manufacturing, processing, fabricating, or refining which changes some existing material or materials into a material with a different form, use or name. These changes must result from the process in question and be substantial and significant. See 86 Ill. Adm. Code 130.330. (This is a GIL.)
- ST 16-0009-PLR 08/17/2016 Under the Retailers' Occupation Tax Act, the manufacturing machinery and equipment exemption is available for machinery and equipment used primarily (over 50% of the time) in the manufacturing or assembling of tangible personal property for wholesale or retail sale or lease. Machinery and equipment used to manufacture compressed natural gas can qualify for the exemption. See 86 Ill. Adm. Code 130.330. (This is a PLR.)
- ST 16-0040-GIL 09/28/2016 This letter clarifies and corrects part of the Department's previous response provided in our General Information Letter dated July 31, 2009, ST 09-0101, wherein we incorrectly stated that the rules exempt gases that are consumed in a manufacturing process.  
**NOTE:** Gases are not generally exempt under Section 130.330(c)(3).
- ST 16-0041-GIL 09/29/2016 This letter clarifies and corrects part of the Department's previous response provided in our General Information Letter dated August 31, 2009, ST 09-0112, wherein we incorrectly stated that the rules exempt gases that are consumed in a manufacturing process.  
**NOTE:** Gases are not generally exempt under Section 130.330(c)(3).
- ST 16-0042-GIL 09/29/2016 This letter clarifies and corrects part of the Department's previous response provided in our General Information Letter dated April

## DEPARTMENT OF REVENUE

## NOTICE OF PUBLIC INFORMATION

1, 2011, ST 11-0021, wherein we incorrectly stated that the rules exempt gases that are consumed in a manufacturing process.

**NOTE:** Gases are not generally exempt under Section 130.330(c)(3).

ST 16-0043-GIL 09/29/2016 This letter clarifies and corrects part of the Department's previous response provided in our General Information Letter dated September 29, 1999, ST 99-0296, wherein we incorrectly stated that the rules exempt gases that are consumed in a manufacturing process.  
**NOTE:** Gases are not generally exempt under Section 130.330(c)(3).

**MISCELLANEOUS**

ST 16-0037-GIL 08/18/2016 This letter responds to an annual survey. (This is a GIL.)

**MOTOR VEHICLES**

ST 16-0048-GIL 09/27/2016 The Department will not approve the accuracy of private legal publications. (This is a GIL.)

**RETURNS**

ST 16-0046-GIL 09/15/2016 The exemption from Retailers' Occupation Tax for sales of biodiesel blends with more than 10% biodiesel includes biodiesel blends with more than 10% but less than 11% biodiesel and, until the Form is changed, may be reported on Form ST-1 under "Other motor fuel deductions." See 35 ILCS 120/2-10. (This is a GIL.)

**SERVICE OCCUPATION TAX**

ST 16-0031-GIL 07/29/16 This letter discusses the methods for calculating Service Occupation Tax on sales made to Medicare and Medicaid. See 86 Ill. Adm. Code 140.108. (This is a GIL.)

**TELECOMMUNICATIONS EXCISE TAX**

## DEPARTMENT OF REVENUE

## NOTICE OF PUBLIC INFORMATION

ST 16-0032-GIL 07/29/2016 The Telecommunications Excise Tax is imposed upon the act or privilege of originating or receiving intrastate or interstate telecommunications in Illinois. See 35 ILCS 630/1 et seq.

ST 16-0044-GIL 09/07/2016 The Telecommunications Excise Tax is imposed upon the act or privilege of originating or receiving intrastate or interstate telecommunications in Illinois at the rate of 7% of the gross charges for such telecommunications purchased at retail from retailers. See 86 Ill. Adm. Code Part 495. (This is a GIL).

**USE TAX**

ST 16-0049-GIL 09/28/2016 The Use Tax Act imposes a tax upon the privilege of using in this State tangible personal property purchased at retail from a retailer. 35 ILCS 105/3.

CHIEF PROCUREMENT OFFICER FOR THE  
DEPARTMENT OF TRANSPORTATION

JANUARY 2017 REGULATORY AGENDA

- a) Part (Heading and Code Citations): Chief Procurement Officer for the Department of Transportation – Contract Procurement; 44 Ill. Admin. Code 6
- 1) Rulemaking:
- A) Description: The Chief Procurement Officer for the Department of Transportation (CPO) will be amending this Part, as necessary to reflect changes made to 30 ILCS 500 by the 99th General Assembly.
- B) Statutory Authority: 30 ILCS 500
- C) Scheduled meeting/hearing date: None scheduled
- D) Date agency anticipates First Notice: Summer 2017
- E) Affect on small businesses, small municipalities or not-for-profit corporations: None
- F) Agency contact person for information:
- Bill Grunloh, Chief Procurement Officer  
Illinois Department of Transportation  
2300 South Dirksen Parkway  
Springfield IL 62764
- 217/558-5434
- G) Related rulemakings and other pertinent information: None

## DEPARTMENT OF STATE POLICE

## JANUARY 2017 REGULATORY AGENDA

- a) Part (Heading and Code Citation): Access to Records of the Illinois State Police; 2 Ill. Adm. Code 1410
- 1) Rulemaking:
- A) Description: The rule will be proposed in order to establish procedures for making records available for reasonable public inspection, obtaining records in the agency's possession, and for claiming and determining which records are exempt from disclosure.
- B) Statutory Authority: 5 ILCS 100/5-15, 5 ILCS 140, and 20 ILCS 2605/2605-15
- C) Scheduled meeting/hearing dates: No schedule has been established at this time.
- D) Date agency anticipates First Notice: No date has been determined at this time.
- E) Effect on small businesses, small municipalities or not-for-profit corporations: None
- F) Agency contact person for information:
- Mr. Matthew R. Rentschler  
Chief Legal Counsel  
Illinois State Police  
801 South Seventh Street, Suite 1000-S  
Springfield IL 62703
- 217/782-7658
- G) Related rulemakings and other pertinent information: None
- b) Part (Heading and Code Citation): Expungement Procedures; 20 Ill. Adm. Code 1205
- 1) Rulemaking:

## DEPARTMENT OF STATE POLICE

## JANUARY 2017 REGULATORY AGENDA

- A) Description: The rule will be amended to revise and update procedures for court ordered expungements/sealing of records received by the Illinois Department of State Police, Bureau of Identification.
- B) Statutory Authority: 20 ILCS 2605/2605-15 and 20 ILCS 2630/1
- C) Scheduled meeting/hearing dates: No schedule has been established at this time.
- D) Date agency anticipates First Notice: No date has been determined at this time.
- E) Effect on small businesses, small municipalities or not-for-profit corporations: None
- F) Agency contact person for information:

Mr. Matthew R. Rentschler  
Chief Legal Counsel  
Illinois State Police  
801 South Seventh Street, Suite 1000-S  
Springfield IL 62703

217/782-7658

- G) Related rulemakings and other pertinent information: None

c) Part (Heading and Code Citation): Non-Court Ordered Juvenile Record Expungement; 20 Ill. Adm. Code 1206

1) Rulemaking:

- A) Description: This rule will be proposed in order to provide requirements and procedures for non-court ordered expungements of juvenile law enforcement records maintained by the Illinois Department of State Police.
- B) Statutory Authority: 20 ILCS 2605/2605-15, 20 ILCS 2630/7, and 705 ILCS 405

## DEPARTMENT OF STATE POLICE

## JANUARY 2017 REGULATORY AGENDA

- C) Scheduled meeting/hearing dates: No schedule has been established at this time.
- D) Date agency anticipates First Notice: No date has been determined at this time.
- E) Effect on small businesses, small municipalities or not-for-profit corporations: None
- F) Agency contact person for information:
- Mr. Matthew R. Rentschler  
Chief Legal Counsel  
Illinois State Police  
801 South Seventh Street, Suite 1000-S  
Springfield IL 62703
- 217/782-7658
- G) Related rulemakings and other pertinent information: None
- d) Part (Heading and Code Citation): Illinois Uniform Conviction Information Act; 20 Ill. Adm. Code 1215
- 1) Rulemaking:
- A) Description: The rule will be amended in order to revise procedures for obtaining criminal history record information.
- B) Statutory Authority: 20 ILCS 2635/19 and 20 ILCS 2605/2605-15
- C) Scheduled meeting/hearing dates: No schedule has been established at this time.
- D) Date agency anticipates First Notice: No date has been determined at this time.
- E) Effect on small businesses, small municipalities or not-for-profit corporations: None

## DEPARTMENT OF STATE POLICE

## JANUARY 2017 REGULATORY AGENDA

F) Agency contact person for information:

Mr. Matthew R. Rentschler  
Chief Legal Counsel  
Illinois State Police  
801 South Seventh Street, Suite 1000-S  
Springfield IL 62703

217/782-7658

G) Related rulemakings and other pertinent information: Nonee) Part (Heading and Code Citation): Intergovernmental Drug Enforcement Act; 20 Ill. Adm. Code 12201) Rulemaking:

A) Description: The rule will be amended to update procedures associated with the operation and the financial regulations of all MEG Units pursuant to the Intergovernmental Drug Law Enforcement Act.

B) Statutory Authority: 30 ILCS 715/5

C) Scheduled meeting/hearing dates: No schedule has been established at this time.

D) Date agency anticipates First Notice: No date has been determined at this time.

E) Effect on small businesses, small municipalities or not-for-profit corporations: Local law enforcement agencies participating in a MEG program may be affected.

F) Agency contact person for information:

Mr. Matthew R. Rentschler  
Chief Legal Counsel  
Illinois State Police

## DEPARTMENT OF STATE POLICE

## JANUARY 2017 REGULATORY AGENDA

801 South Seven Street, Suite 1000-S  
Springfield IL 62703

217/782-7658

G) Related rulemakings and other pertinent information: None

f) Part (Heading and Code Citation): Drug Asset Forfeiture Procedure Act; 20 Ill. Adm. Code 1225

1) Rulemaking:

A) Description: The rule may be amended to update procedures for the seizure and forfeiture of property under the Drug Asset Forfeiture Procedure Act, if pending legislation passes.

B) Statutory Authority: 20 ILCS 2605/2605-15 and 725 ILCS 150

C) Scheduled meeting/hearing dates: No schedule has been established at this time.

D) Date agency anticipates First Notice: No date has been determined at this time.

E) Effect on small businesses, small municipalities or not-for-profit corporations: None

F) Agency contact person for information:

Mr. Matthew R. Rentschler  
Chief Legal Counsel  
Illinois State Police  
801 South Seven Street, Suite 1000-S  
Springfield IL 62703

217/782-7658

G) Related rulemakings and other pertinent information: None

## DEPARTMENT OF STATE POLICE

## JANUARY 2017 REGULATORY AGENDA

g) Part (Heading and Code Citation): Firearm Owner's Identification Card Act; 20 Ill. Adm. Code 1230

1) Rulemaking:

- A) Description: The rule will be amended to revise and update procedures associated with applying for, or the review of applications, as well as granting, denying, and revoking the Firearm Owner's Identification Card and related activities.
- B) Statutory Authority: 20 ILCS 2605/2605-15 and 430 ILCS 65/11
- C) Scheduled meeting/hearing dates: No schedule has been established at this time.
- D) Date agency anticipates First Notice: No date has been determined at this time.
- E) Effect on small businesses, small municipalities or not-for-profit corporations: None
- F) Agency contact person for information:  
  
Mr. Matthew R. Rentschler  
Chief Legal Counsel  
Illinois State Police  
801 South Seven Street, Suite 1000-S  
Springfield IL 62703  
  
217/782-7658
- G) Related rulemakings and other pertinent information: None

h) Part (Heading and Code Citation): Firearm Concealed Carry Act Procedures; 20 Ill. Adm. Code 1231

1) Rulemaking:

## DEPARTMENT OF STATE POLICE

## JANUARY 2017 REGULATORY AGENDA

- A) Description: The rule will be amended to revise and update procedures associated with the Firearm Concealed Carry Act.
- B) Statutory Authority: 430 ILCS 66
- C) Scheduled meeting/hearing dates: No schedule has been established at this time.
- D) Date agency anticipates First Notice: No date has been determined at this time.
- E) Effect on small businesses, small municipalities or not-for-profit corporations: None
- F) Agency contact person for information:

Mr. Matthew R. Rentschler  
Chief Legal Counsel  
Illinois State Police  
801 South Seven Street, Suite 1000-S  
Springfield IL 62703

217/782-7658

- G) Related rulemakings and other pertinent information: None

i) Part (Heading and Code Citation): Firearm Transfer Inquiry Program; 20 Ill. Adm. Code 1235

1) Rulemaking:

- A) Description: The rule will be amended to revise and update procedures associated with the Firearm Transfer Inquiry Program and related activities.
- B) Statutory Authority: 20 ILCS 2605/2605-15 and 430 ILCS 65/3.1
- C) Scheduled meeting/hearing dates: No schedule has been established at this time.

## DEPARTMENT OF STATE POLICE

## JANUARY 2017 REGULATORY AGENDA

- D) Date agency anticipates First Notice: No date has been determined at this time.
- E) Effect on small businesses, small municipalities or not-for-profit corporations: None
- F) Agency contact person for information:

Mr. Matthew R. Rentschler  
Chief Legal Counsel  
Illinois State Police  
801 South Seventh Street, Suite 1000-S  
Springfield IL 62703

217/782-7658

- G) Related rulemakings and other pertinent information: None

j) Part (Heading and Code Citation): Intergovernmental Missing Child Recovery Act; 20 Ill. Adm. Code 1260

1) Rulemaking:

- A) Description: The rule is outdated and will require many revisions as I-SEARCH units and I-SEARCH programs are no longer utilized. The program now functions as a missing person clearinghouse.
- B) Statutory Authority: 325 ILCS 40
- C) Scheduled meeting/hearing dates: No schedule has been established at this time.
- D) Date agency anticipates First Notice: No date has been determined at this time.
- E) Effect on small businesses, small municipalities or not-for-profit corporations: None

## DEPARTMENT OF STATE POLICE

## JANUARY 2017 REGULATORY AGENDA

F) Agency contact person for information:

Mr. Matthew R. Rentschler  
Chief Legal Counsel  
Illinois State Police  
801 South Seven Street, Suite 1000-S  
Springfield IL 62703

217/782-7658

G) Related rulemakings and other pertinent information: Nonek) Part (Heading and Code Citation): Criminal History Background Investigations; 20 Ill. Adm. Code 12701) Rulemaking:

A) Description: The rule will be amended to revise and update procedures associated with the dissemination of criminal history record information in response to requests from school districts.

B) Statutory Authority: 20 ILCS 2605/2605-15, 105 ILCS 5/10-21.9, and 105 ILCS 5/34-18.5

C) Scheduled meeting/hearing dates: No schedule has been established at this time.

D) Date agency anticipates First Notice: No date has been determined at this time.

E) Effect on small businesses, small municipalities or not-for-profit corporations: The amendments may affect school districts.

F) Agency contact person for information:

Mr. Matthew R. Rentschler  
Chief Legal Counsel  
Illinois State Police  
801 South Seven Street, Suite 1000-S

## DEPARTMENT OF STATE POLICE

## JANUARY 2017 REGULATORY AGENDA

Springfield IL 62703

217/782-7658

G) Related rulemakings and other pertinent information: Nonel) Part (Heading and Code Citation): Sex Offender Registration Act; 20 Ill. Adm. Code 1280

1) Rulemaking:

A) Description: The rule will be amended to revise and update procedures and policies relating to the implementation of the Sex Offender Registration Act.B) Statutory Authority: 20 ILCS 2605/2605-15 and 730 ILCS 150/4C) Scheduled meeting/hearing dates: No schedule has been established at this time.D) Date agency anticipates First Notice: No date has been determined at this time.E) Effect on small businesses, small municipalities or not-for-profit corporations: The amendments may affect small businesses, small municipalities and/or not-for-profit corporations.F) Agency contact person for information:

Mr. Matthew R. Rentschler  
Chief Legal Counsel  
Illinois State Police  
801 South Seventh Street, Suite 1000-S  
Springfield IL 62703

217/782-7658

G) Related rulemakings and other pertinent information: None

## DEPARTMENT OF STATE POLICE

## JANUARY 2017 REGULATORY AGENDA

m) Part (Heading and Code Citation): Missing Person Notification; 20 Ill. Adm. Code 1291

1) Rulemaking:

A) Description: The rule will be amended to revise and update procedures for entering missing person reports into the Law Enforcement Data System. I-SEARCH programs are no longer utilized. The program now functions as a missing person clearinghouse.

B) Statutory Authority: 20 ILCS 2605/2605-15 and 325 ILCS 40/1

C) Scheduled meeting/hearing dates: No schedule has been established at this time.

D) Date agency anticipates First Notice: No date has been determined at this time.

E) Effect on small businesses, small municipalities or not-for-profit corporations: None

F) Agency contact person for information:

Mr. Matthew R. Rentschler  
Chief Legal Counsel  
Illinois State Police  
801 South Seventh Street, Suite 1000-S  
Springfield IL 62703

217/782-7658

G) Related rulemakings and other pertinent information: None

n) Part (Heading and Code Citation): Emission Inspection Training and Certification; 20 Ill. Adm. Code 1293

1) Rulemaking:

## DEPARTMENT OF STATE POLICE

## JANUARY 2017 REGULATORY AGENDA

- A) Description: The rule will be amended to revise and update procedures for the training and certification of Illinois State Police officers who conduct diesel emission inspections pursuant to the Illinois Vehicle Code.
- B) Statutory Authority: 20 ILCS 2605/2605-15 and 625 ILCS 5/13-109.1
- C) Scheduled meeting/hearing dates: No schedule has been established at this time.
- D) Date agency anticipates First Notice: No date has been determined at this time.
- E) Effect on small businesses, small municipalities or not-for-profit corporations: None
- F) Agency contact person for information:
- Mr. Matthew R. Rentschler  
Chief Legal Counsel  
Illinois State Police  
801 South Seven Street, Suite 1000-S  
Springfield IL 62703
- 217/782-7658
- G) Related rulemakings and other pertinent information: None
- o) Part (Heading and Code Citation): Certification and Training of Electronic Criminal Surveillance Officers; 20 Ill. Adm. Code 1295
- 1) Rulemaking:
- A) Description: The rule will be amended to ensure adherence to recent jurisprudence and legislative changed. In addition, the rules require revision due to the advances in technology and the corresponding practical application of those technological advancements in the field of electronic criminal surveillance.
- B) Statutory Authority: 20 ILCS 2605/2605-15, 725 ILCS 5/108B-14

## DEPARTMENT OF STATE POLICE

## JANUARY 2017 REGULATORY AGENDA

- C) Scheduled meeting/hearing dates: No schedule has been established at this time.
- D) Date agency anticipates First Notice: No date has been determined at this time.
- E) Effect on small businesses, small municipalities or not-for-profit corporations: The amendment may affect county and local law enforcement agencies.
- F) Agency contact person for information:
- Mr. Matthew R. Rentschler  
Chief Legal Counsel  
Illinois State Police  
801 South Seven Street, Suite 1000-S  
Springfield IL 62703
- 217/782-7658
- G) Related rulemakings and other pertinent information: None
- p) Part (Heading and Code Citation): Imaging Products; 20 Ill. Adm. Code 1298
- 1) Rulemaking:
- A) Description: The rule will be amended to update the procedures and fees for requesting digital images, videos, and measurements collected or produced by the Illinois State Police.
- B) Statutory Authority: 20 ILCS 2605/2605-15, 725 ILCS 5/108B-14
- C) Scheduled meeting/hearing dates: No schedule has been established at this time.
- D) Date agency anticipates First Notice: No date has been determined at this time.

## DEPARTMENT OF STATE POLICE

## JANUARY 2017 REGULATORY AGENDA

- E) Effect on small businesses, small municipalities or not-for-profit corporations: The amendments may affect small businesses, small municipalities and/or not-for-profit corporations.
- F) Agency contact person for information:
- Mr. Matthew R. Rentschler  
Chief Legal Counsel  
Illinois State Police  
801 South Seven Street, Suite 1000-S  
Springfield IL 62703
- 217/782-7658
- G) Related rulemakings and other pertinent information: None
- q) Part (Heading and Code Citation): Consolidation of 9-1-1 Emergency Systems; 83 Ill. Adm. Code 1324
- 1) Rulemaking:
- A) Description: This Part was adopted by emergency rulemaking as authorized in the Emergency Telephone System Act, 50 ILCS 750, as amended by PA 99-6. Adoption of proposed rules followed expiration of the emergency rules. The entire Emergency Telephone System Act is set to sunset and is scheduled to be repealed on July 1, 2017. Amendment of the Act is anticipated and will require amendments to the existing administrative rules.
- B) Statutory Authority: 50 ILCS 750/10
- C) Scheduled meeting/hearing dates: No schedule has been established at this time.
- D) Date agency anticipates First Notice: No date has been determined at this time.

## DEPARTMENT OF STATE POLICE

## JANUARY 2017 REGULATORY AGENDA

- E) Effect on small businesses, small municipalities or not-for-profit corporations: The amendments may require a local government to establish, expand or modify its activities consistent with statute.
- F) Agency contact person for information:
- Mr. Matthew R. Rentschler  
Chief Legal Counsel  
Illinois State Police  
801 South Seventh Street, Suite 1000-S  
Springfield IL 62703
- 217/782-7658
- G) Related rulemakings and other pertinent information: None
- r) Part (Heading and Code Citation): Standards of Service Applicable to 9-1-1 Emergency Systems; 83 Ill. Adm. Code 1325
- 1) Rulemaking:
- A) Description: This Part was adopted by emergency rulemaking as authorized in the Emergency Telephone System Act, 50 ILCS 750, as amended by PA 99-6. Adoption of proposed rules followed expiration of the emergency rules. The entire Emergency Telephone System Act is set to sunset and is scheduled to be repealed on July 1, 2017. Amendment of the Act is anticipated and will require amendments to the existing administrative rules.
- B) Statutory Authority: 50 ILCS 750/10
- C) Scheduled meeting/hearing dates: No schedule has been established at this time.
- D) Date agency anticipates First Notice: No date has been determined at this time.

## DEPARTMENT OF STATE POLICE

## JANUARY 2017 REGULATORY AGENDA

- E) Effect on small businesses, small municipalities or not-for-profit corporations: These emergency rules may require a local government to establish, expand or modify its activities consistent with statute.
- F) Agency contact person for information:
- Mr. Matthew R. Rentschler  
Chief Legal Counsel  
Illinois State Police  
801 South Seventh Street, Suite 1000-S  
Springfield IL 62703
- 217/782-7658
- G) Related rulemakings and other pertinent information: None
- s) Part (Heading and Code Citation): Requirements for Private Business Switch Service to Comply with the Emergency Telephone System Act; 83 Ill. Adm. Code 1326
- 1) Rulemaking:
- A) Description: This Part was adopted by emergency rulemaking as authorized in the Emergency Telephone System Act, 50 ILCS 750, as amended by PA 99-6. Adoption of proposed rules followed expiration of the emergency rules. The entire Emergency Telephone System Act is set to sunset and is scheduled to be repealed on July 1, 2017. Amendment of the Act is anticipated and will require amendments to the existing administrative rules.
- B) Statutory Authority: 50 ILCS 750/15.6
- C) Scheduled meeting/hearing dates: No schedule has been established at this time.
- D) Date agency anticipates First Notice: No date has been determined at this time.

## DEPARTMENT OF STATE POLICE

## JANUARY 2017 REGULATORY AGENDA

- E) Effect on small businesses, small municipalities or not-for-profit corporations: These emergency rules may require a local government to establish, expand or modify its activities consistent with statute.
- F) Agency contact person for information:
- Mr. Matthew R. Rentschler  
Chief Legal Counsel  
Illinois State Police  
801 South Seventh Street, Suite 1000-S  
Springfield IL 62703
- 217/782-7658
- G) Related rulemakings and other pertinent information: None
- t) Part (Heading and Code Citation): 9-1-1 Emergency Systems Consolidation Grants; 83 Ill. Adm. Code 1327
- 1) Rulemaking:
- A) Description: This Part was adopted by emergency rulemaking as authorized in the Emergency Telephone System Act, 50 ILCS 750, as amended by PA 99-6. Adoption of proposed rules followed expiration of the emergency rules. The entire Emergency Telephone System Act is set to sunset and is scheduled to be repealed on July 1, 2017. Amendment of the Act is anticipated and will require amendments to the existing administrative rules.
- B) Statutory Authority: 50 ILCS 750/15.4b
- C) Scheduled meeting/hearing dates: No schedule has been established at this time.
- D) Date agency anticipates First Notice: No date has been determined at this time.

## DEPARTMENT OF STATE POLICE

## JANUARY 2017 REGULATORY AGENDA

- E) Effect on small businesses, small municipalities or not-for-profit corporations: These emergency rules may require a local government to establish, expand or modify its activities consistent with statute.
- F) Agency contact person for information:
- Mr. Matthew R. Rentschler  
Chief Legal Counsel  
Illinois State Police  
801 South Seventh Street, Suite 1000-S  
Springfield IL 62703
- 217/782-7658
- G) Related rulemakings and other pertinent information: None
- u) Part (Heading and Code Citation): Standards of Service Applicable to Wireless 9-1-1 Emergency Systems; 83 Ill. Adm. Code 1328
- 1) Rulemaking:
- A) Description: This Part was adopted by emergency rulemaking as authorized in the Emergency Telephone System Act, 50 ILCS 750, as amended by PA 99-6. Adoption of proposed rules followed expiration of the emergency rules. The entire Emergency Telephone System Act is set to sunset and is scheduled to be repealed on July 1, 2017. Amendment of the Act is anticipated and will require amendments to the existing administrative rules.
- B) Statutory Authority: 50 ILCS 751/15
- C) Scheduled meeting/hearing dates: No schedule has been established at this time.
- D) Date agency anticipates First Notice: No date has been determined at this time.

## DEPARTMENT OF STATE POLICE

## JANUARY 2017 REGULATORY AGENDA

E) Effect on small businesses, small municipalities or not-for-profit corporations: These emergency rules may require a local government to establish, expand or modify its activities consistent with statute.

F) Agency contact person for information:

Mr. Matthew R. Rentschler  
Chief Legal Counsel  
Illinois State Police  
801 South Seventh Street, Suite 1000-S  
Springfield IL 62703

217/782-7658

G) Related rulemakings and other pertinent information: None

v) Part (Heading and Code Citation): Administration of the Statewide 9-1-1 Fund; 83 Ill. Adm. Code 1329

1) Rulemaking:

A) Description: This Part was adopted by emergency rulemaking as authorized in the Emergency Telephone System Act, 50 ILCS 750, as amended by PA 99-6. Adoption of proposed rules followed expiration of the emergency rules. The entire Emergency Telephone System Act is set to sunset and is scheduled to be repealed on July 1, 2017. Amendment of the Act is anticipated and will require amendments to the existing administrative rules.

B) Statutory Authority: 50 ILCS 750/10

C) Scheduled meeting/hearing dates: No schedule has been established at this time.

D) Date agency anticipates First Notice: No date has been determined at this time.

DEPARTMENT OF STATE POLICE

JANUARY 2017 REGULATORY AGENDA

- E) Effect on small businesses, small municipalities or not-for-profit corporations: These emergency rules may require a local government to establish, expand or modify its activities consistent with statute.
  
- F) Agency contact person for information:
  - Mr. Matthew R. Rentschler
  - Chief Legal Counsel
  - Illinois State Police
  - 801 South Seventh Street, Suite 1000-S
  - Springfield IL 62703
  
  - 217/782-7658
  
- G) Related rulemakings and other pertinent information: None

## ENVIRONMENTAL PROTECTION AGENCY

## JANUARY 2017 REGULATORY AGENDA

- a) Part (Heading and Code Citation): Procedure for the Certification of Operators of Wastewater Treatment Works (35 Ill. Adm. Code 380)
- 1) Rulemaking:
- A) Description: The proposed amendments update existing regulations pertaining to the certification of operators of wastewater treatment works and provides a framework for continuing education units similar to the Agency's Water Supply Operator Certification program in Part 681.
- B) Statutory Authority: Authorized by Sections 13(a)(4) and 13.5 of the Environmental Protection Act [415 ILCS 5/13(a)(4) and 13.5].
- C) Scheduled meeting/hearing dates: The Agency has not yet scheduled meetings or hearings on this proposal.
- D) Date agency anticipates First Notice: Spring or Summer 2017.
- E) Effect on small business, small municipalities, or not-for-profit corporations: These amendments may affect small business, small municipalities, and not-for-profit corporations in Illinois to the extent they own or operate a waste water treatment works. The Agency anticipates the proposed rulemaking will benefit small businesses, small municipalities, or not-for-profit corporations who employ certified operators.
- F) Agency contact person for information: Address written comments concerning the substance of the rulemaking as follows:

Rex L. Gradeless  
Division of Legal Counsel  
Illinois Environmental Protection Agency  
1021 North Grand Avenue East  
P.O. Box 19276  
Springfield IL 62794-9276

217/782-5544  
rex.gradeless@illinois.Gov

## ENVIRONMENTAL PROTECTION AGENCY

## JANUARY 2017 REGULATORY AGENDA

- G) Related rulemakings and other pertinent information: This rulemaking mirrors many areas of the water supply operator certification rules of Part 681.
- b) Part (Heading and Code Citation): Procedures for Issuing Loans from the Public Water Supply Loan Program (35 Ill. Adm. Code 662)
- 1) Rulemaking:
- A) Description: The Illinois Environmental Protection Agency plans to propose amendments updating existing regulations pertaining to issuing loans from the Public Water Supply Loan Program in order to be consistent with statutory amendments to the Illinois Environmental Protection Act and the Safe Drinking Water Act.
- B) Statutory Authority: Authorized by Section 19.1 through 19.9 of the Environmental Protection Act [415 ILCS 5/19.1 through 19.9]
- C) Scheduled meeting/hearing dates: The Agency has not yet scheduled meetings or hearings on this proposal.
- D) Date agency anticipates First Notice: Spring or Summer 2017
- E) Effect on small business, small municipalities, or not-for-profit corporations: All small businesses, small municipalities, or not-for-profit corporations seeking loans under the Water Pollution Control Loan Program could be affected. Eligibility for loans to small businesses, small municipalities, or not-for-profit corporations may be expanded due to the amendment of “treatment works” under Section 19.2 of the Environmental Protection Act. Additionally, disadvantaged communities may also qualify for a 30-year loan.
- F) Agency contact person for information: Address written comments concerning the substance of the rulemaking as follows:

Rex L. Gradeless  
Division of Legal Counsel  
Illinois Environmental Protection Agency  
1021 North Grand Avenue East

## ENVIRONMENTAL PROTECTION AGENCY

## JANUARY 2017 REGULATORY AGENDA

P.O. Box 19276  
Springfield IL 62794-9276

217/782-5544  
rex.gradeless@illinois.gov

- G) Related rulemakings and other pertinent information: This rulemaking mirrors many areas of the Water Pollution Control Loan Program of Part 365.
- c) Part (Heading and Code Citation): Water Supply Operator Certification, 35 Ill. Adm. Code 681
- 1) Rulemaking:
- A) Description: The Illinois EPA plans to amend the regulations for water supply operator certification to clarify how equivalent hands on credit is awarded by the Agency when reviewing certification applications; add a time limit to the water supply operator examination; add a limit to the number of times a person can take the water supply certification in one year; update the procedural rules for sanction proceedings; update the procedures for granting reciprocal certification.
- B) Statutory Authority: Implementing and authorized by the Public Water Supply Operations Act [415 ILCS 45]
- C) Scheduled meeting/hearing dates: The Agency has not yet scheduled meetings or hearings on this proposal.
- D) Date agency anticipates First Notice: Spring or Summer 2017
- E) Effect on small business, small municipalities or not-for-profit corporations: These amendments may affect small businesses, small municipalities, and not-for-profit corporations in Illinois to the extent the affected entities own or operate a "public water supply" as defined by Section 3.365 of the Act, i.e., it has at least 15 service connections or regularly serves an average of at least 25 individuals daily at least 60 days out of the year, or it is assisting a public water supply to demonstrate compliance. The Agency anticipates the proposed rulemaking will help

## ENVIRONMENTAL PROTECTION AGENCY

## JANUARY 2017 REGULATORY AGENDA

small business, small municipalities or not-for-profit corporations because they will be able to recruit and hire operators in training.

- F) Agency contact person for information: Address written comments concerning the substance of the rulemaking as follows:

Joanne M. Olson  
Division of Legal Counsel  
Illinois Environmental Protection Agency  
1021 North Grand Avenue East  
P.O. Box 19276  
Springfield IL 62794-9276

217/782-5544  
joanne.olson@illinos.gov

- G) Related rulemakings and other pertinent information: None

- d) Part (Heading and Code Citations): Medication Takeback Program (35 Ill. Adm. Code 889)

1) Rulemaking:

- A) Description: The new rules will establish a medication take-back program to ensure there are pharmaceutical product disposal options for residents across the state.
- B) Statutory Authority: Authorized by Section 22.55(1) of the Environmental Protection Act [415 ILCS 5/22.55(1)]
- C) Scheduled meeting/hearing dates: The Agency has not yet scheduled meetings or hearings on this proposal.
- D) Date agency anticipates First Notice: Spring or Summer 2017
- E) Effect on small businesses, small municipalities or not-for-profit corporations: This rulemaking has no effect on small businesses, small municipalities, or not-for-profit corporations unless those entities elect to

## ENVIRONMENTAL PROTECTION AGENCY

## JANUARY 2017 REGULATORY AGENDA

host a pharmaceutical product collection program or one-day pharmaceutical product collection event.

- F) Agency contact person for information: Address written comments concerning the substance of the rulemaking as follows:

James Jennings  
Illinois Environmental Protection Agency  
1021 North Grand Avenue East  
P.O. Box 19276  
Springfield IL 62794-9276

217/782-5544  
james.m.jennings@illinois.gov

- G) Related rulemakings and other pertinent information: None

## HEALTH FACILITIES AND SERVICES REVIEW BOARD

## JANUARY 2017 REGULATORY AGENDA

- a) Part (Heading and Code Citations): Narrative and Planning Policies, 77 Ill. Adm. Code 1100
- 1) Rulemaking:
- A) Description: Currently, this Part requires that applicants use MapQuest to calculate "normal drive times." The Board utilized MapQuest because MapQuest used to rely on distance and posted speed limits to calculate drive times. MapQuest now considers traffic times. Since drive time calculated this way leads to varying data, the Board will amend this Part. Additionally, the Board is reviewing the adjustment factor that applies to Illinois counties.
- B) Statutory Authority: 20 ILCS 3960
- C) Scheduled meeting/hearing dates: There are no meetings or hearings scheduled.
- D) Date agency anticipates First Notice: The Board has not determined a date at this time.
- E) Effect on small businesses, small municipalities or not-for-profit corporations: This rulemaking may affect units of small businesses, small municipalities and not-for-profit corporations that own or operate health care facilities, such as hospitals, ambulatory surgery treatment centers, long-term care centers, end stage renal dialysis centers, free standing emergency care centers, and freestanding birth centers.
- F) Agency contact person for information:

Jeannie Mitchell, Assistant General Counsel  
Health Facilities and Services Review Board  
69 West Washington Street  
Suite 3501  
Chicago IL 60602

312/814-6226  
Jeannie.Mitchell@illinois.gov

## HEALTH FACILITIES AND SERVICES REVIEW BOARD

## JANUARY 2017 REGULATORY AGENDA

- G) Related rulemakings and other pertinent information: None
- b) Part (Heading and Code Citations): Processing, Classification Policies and Review Criteria, 77 Ill. Adm. Code 1110
- 1) Rulemaking:
- A) Description: The Board is reevaluating travel time requirements for review criteria that consider travel times. The Board will update some review criteria, including the review criteria for neonatal intensive care projects that require a permit.
- B) Statutory Authority: 20 ILCS 3960
- C) Scheduled meeting/hearing dates: There are no meetings or hearings scheduled at this time.
- D) Date agency anticipates First Notice: The Board has not determined a date at this time.
- E) Effect on small businesses, small municipalities or not-for-profit corporations: This rulemaking may affect units of small businesses, small municipalities and not-for-profit corporations that own or operate health care facilities, such as hospitals, ambulatory surgery treatment centers, long-term care centers, end stage renal dialysis centers, free standing emergency care centers, and freestanding birth centers.
- F) Agency contact person for information:
- Jeannie Mitchell, Assistant General Counsel  
Health Facilities and Services Review Board  
69 West Washington Street  
Suite 3501  
Chicago IL 60602
- 312/814-6226  
Jeannie.Mitchell@illinois.gov
- G) Related rulemakings and other pertinent information: None

## HEALTH FACILITIES AND SERVICES REVIEW BOARD

## JANUARY 2017 REGULATORY AGENDA

- c) Part (Heading and Code Citations): Long-Term Care, 77 Ill. Adm. Code 1125
- 1) Rulemaking:
- A) Description: The Board is reevaluating travel time requirements for review criteria that consider travel times.
- B) Statutory Authority: 20 ILCS 3960
- C) Scheduled meeting/hearing dates: None scheduled
- D) Date agency anticipates First Notice: The Board has not determined a date at this time.
- E) Effect on small businesses, small municipalities or not-for-profit corporations: This rulemaking may affect units of small businesses, small municipalities and not-for-profit corporations that own or operate health care facilities, such as long-term care centers or nursing homes.
- F) Agency contact person for information:
- Jeannie Mitchell, Assistant General Counsel  
Health Facilities and Services Review Board  
69 West Washington Street  
Suite 3501  
Chicago IL 60602
- 312/814-6226  
Jeannie.Mitchell@illinois.gov
- G) Related rulemakings and other pertinent information: None
- c) Part (Heading and Code Citations): Health Care Worker Self-Referral, 77 Ill. Adm. Code 1235
- 1) Rulemaking:

## HEALTH FACILITIES AND SERVICES REVIEW BOARD

## JANUARY 2017 REGULATORY AGENDA

- A) Description: Streamline the process for seeking and receiving an advisory opinion under the Health Care Worker Self-Referral Act, 225 ILCS 47, and reevaluate the distance that justifies a community need under that statute.
- B) Statutory Authority: 20 ILCS 3960
- C) Scheduled meeting/hearing dates: None scheduled
- D) Date agency anticipates First Notice: The Board has not determined a date at this time.
- E) Effect on small businesses, small municipalities or not-for-profit corporations: None
- F) Agency contact person for information:

Jeannie Mitchell, Assistant General Counsel  
Health Facilities and Services Review Board  
69 West Washington Street  
Suite 3501  
Chicago IL 60602

312/814-6226  
Jeannie.Mitchell@illinois.gov

- G) Related rulemakings and other pertinent information: None

d) Part (Heading and Code Citations): Health Facilities and Services Review Operational Rules, 77 Ill. Adm. Code 1130

1) Rulemaking:

- A) Description: Adopt rules in response to PA 99-551, which requires health care facilities to notify local media about facility closures.
- B) Statutory Authority: 20 ILCS 3960
- C) Scheduled meeting/hearing dates: None scheduled

## HEALTH FACILITIES AND SERVICES REVIEW BOARD

## JANUARY 2017 REGULATORY AGENDA

- D) Date agency anticipates First Notice: The Board has not determined a date at this time.
- E) Effect on small businesses, small municipalities or not-for-profit corporations: None
- F) Agency contact person for information:

Jeannie Mitchell, Assistant General Counsel  
Health Facilities and Services Review Board  
69 West Washington Street  
Suite 3501  
Chicago IL 60602

312/814-6226  
Jeannie.Mitchell@illinois.gov

- G) Related rulemakings and other pertinent information: None

e) Part (Heading and Code Citations): Public Information Access, Rulemaking and Organization, 2 Ill. Adm. Code 1925

- 1) Rulemaking:
- A) Description: Update the Board's FOIA rules.
- B) Statutory Authority: 5 ILCS 140
- C) Scheduled meeting/hearing dates: None scheduled
- D) Date agency anticipates First Notice: The Board has not determined a date at this time.
- E) Effect on small businesses, small municipalities or not-for-profit corporations: None
- F) Agency contact person for information:

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HEALTH FACILITIES AND SERVICES REVIEW BOARD

JANUARY 2017 REGULATORY AGENDA

Jeannie Mitchell, Assistant General Counsel  
Health Facilities and Services Review Board  
69 West Washington Street  
Suite 3501  
Chicago IL 60602

312/814-6226  
Jeannie.Mitchell@illinois.gov

- G) Related rulemakings and other pertinent information: None

## PROCLAMATIONS

**2016-311****Proposed Amendment to the Illinois Constitution**

**WHEREAS**, On the 8th day of November, 2016, an election was held in the State of Illinois at which time the addition of Section 11 to Article IX of the Illinois Constitution was submitted, and

**WHEREAS**, In pursuance of Law, the State Board of Elections appointed to canvass the returns of such election and to declare the results thereof, did, on this the 6th day of December, 2016, canvass the same, and as a result of such canvass, did declare that the Proposed Amendment to the Illinois Constitution has received either three-fifths of those voting on the question or a majority of those voting in the election.

**NOW, THEREFORE, I, BRUCE RAUNER**, Governor of the State of Illinois, in conformity to statute in such case made and provided, do hereby make public proclamation, declaring as a result of such canvass the foregoing results.

In Witness Whereof, I have hereunto set my hand and caused the Great Seal of the State of Illinois to be affixed.

Done at the Capitol, in the City of Springfield, this sixth day of December, in the Year of Our Lord two thousand and sixteen, and of the State of Illinois, the one hundred and ninety-eighth.

Issued by the Governor December 6, 2016

Filed by the Secretary of State December 6, 2016

**2016-312****Electors of President and Vice President of the United States**

**WHEREAS**, On the 8th day of November, 2016, an election was held in the State of Illinois for the election of twenty (20) Electors of President and Vice President of the United States.

**WHEREAS**, In pursuance of Law, the State Board of Elections appointed to canvass the returns of such election and to declare the results thereof, did, on this the 6th day of December, 2016, canvass the same, and as a result of such canvass, did declare elected the following named persons to the following named office:

**ELECTORS OF PRESIDENT AND VICE PRESIDENT OF THE UNITED STATES**

Toni Preckwinkle

Kevin Duffy Blackburn

## PROCLAMATIONS

Carrie Austin	Jerry Costello
Silvana Tabares	Carol Ammons
Jesus G. "Chuy" Garcia	Mark Guethle
Pam Cullerton	Flint Taylor
Nancy Shepherdson	John Nelson
Vera Davis	Don Johnston
Michelle Mussman	Shirley McCombs
William Marovitz	Barbara Flynn Currie
Lauren Beth Gash	John R. Daley

**NOW, THEREFORE, I, BRUCE RAUNER**, Governor of the State of Illinois, in conformity to statute in such case made and provided, do hereby make public proclamation, declaring as a result of such canvass the foregoing persons duly elected to the offices as set out above.

In Witness Whereof, I have hereunto set my hand and caused the Great Seal of the State of Illinois to be affixed.

Done at the Capitol, in the City of Springfield, this sixth day of December, in the Year of Our Lord two thousand and sixteen, and of the State of Illinois, the one hundred and ninety-eighth.

Issued by the Governor December 6, 2016

Filed by the Secretary of State December 6, 2016

**2016-313****Electors Ascertainment****TO ALL WHOM THESE PRESENTS SHALL COME, GREETING;**

**KNOW YE**, That on the 8th day of November, 2016, as ascertained by an official canvass made in accordance with the laws of the State of Illinois, a copy of ascertainment of which canvass is hereto attached and made a part hereof Electors of President and Vice President of the United States were elected and appointed as follows, to wit:

Toni Preckwinkle	Kevin Duffy Blackburn
Carrie Austin	Jerry Costello
Silvana Tabares	Carol Ammons
Jesus G. "Chuy" Garcia	Mark Guethle
Pam Cullerton	Flint Taylor
Nancy Shepherdson	John Nelson
Vera Davis	Don Johnston

## PROCLAMATIONS

Michelle Mussman  
William Marovitz  
Lauren Beth Gash

Shirley McCombs  
Barbara Flynn Currie  
John R. Daley

In Witness Whereof, I have hereunto set my hand and caused the Great Seal of the State of Illinois to be affixed.

Done at the Capitol, in the City of Springfield, this sixth day of December, in the Year of Our Lord two thousand and sixteen, and of the State of Illinois, the one hundred and ninety-eighth.

**WHEREAS**, On the 8th day of November, 2016, pursuant to the Statute in such case made and provided, an election was held in the State of Illinois for the purpose of electing on a general ballot, twenty (20) Electors of President and Vice President of the United States; and

**WHEREAS**, In accordance with the Statute aforesaid for the final ascertainment of the result of said election, held as aforesaid, we, the following members of the State Board of Elections, the officers appointed by law to canvass the returns made by the County Clerks of the several counties in the State, of the votes given at said election, on the 2nd day of December, 2016, at the office of the State Board of Elections, in the City of Springfield, State of Illinois, proceeded to canvass the returns of the election as aforesaid, being the official abstracts transmitted to the State Board of Elections of this State, of all voters given in each and every county in the State of Illinois, at the election held November 8, 2016, for Electors for President and Vice President of the United States, and it appears as the results of such canvass that the following named persons were voted for, for the office of Electors of President and Vice President of the United States in this State, and the number of votes given for each person is set opposite to his respective name, this is to say:

**ELECTORS FOR PRESIDENT AND VICE PRESIDENT OF THE UNITED STATES***Democratic Party*

Toni Preckwinkle received 3,090,729 votes  
Carrie Austin received 3,090,729 votes  
Silvana Tabares received 3,090,729 votes  
Jesus G. "Chuy" Garcia received 3,090,729 votes  
Pam Cullerton received 3,090,729 votes  
Nancy Shepherdson received 3,090,729 votes  
Vera Davis received 3,090,729 votes  
Michelle Mussman received 3,090,729 votes  
William Marovitz received 3,090,729 votes

## PROCLAMATIONS

Lauren Beth Gash received 3,090,729 votes  
Kevin Duffy Blackburn received 3,090,729 votes  
Jerry Costello received 3,090,729 votes  
Carol Ammons received 3,090,729 votes  
Mark Guethle received 3,090,729 votes  
Flint Taylor received 3,090,729 votes  
John Nelson received 3,090,729 votes  
Don Johnston received 3,090,729 votes  
Shirley McCombs received 3,090,729 votes  
Barbara Flynn Currie received 3,090,729 votes  
John R. Daley received 3,090,729 votes

**ELECTORS FOR PRESIDENT AND VICE PRESIDENT OF THE UNITED STATES***Republican Party*

Karen Hayes received 2,146,015 votes  
Judy Diekelman received 2,146,015 votes  
Madelyn Flaherty received 2,146,015 votes  
Jerry Kraus received 2,146,015 votes  
Ross Morreale received 2,146,015 votes  
Andrew Gasser received 2,146,015 votes  
Martin Ozinga IV received 2,146,015 votes  
Lee Trejo received 2,146,015 votes  
Gary Gale received 2,146,015 votes  
Mark Shaw received 2,146,015 votes  
Marianne DeMeritt received 2,146,015 votes  
Michael Neubert received 2,146,015 votes  
Fred Floreth received 2,146,015 votes  
Steve Kuhn received 2,146,015 votes  
Mike Hall received 2,146,015 votes  
Tom Bennett received 2,146,015 votes  
Wayne Saline received 2,146,015 votes  
Jeff Short received 2,146,015 votes  
John Fogarty received 2,146,015 votes  
Laura Jacksack received 2,146,015 votes

## PROCLAMATIONS

**ELECTORS FOR PRESIDENT AND VICE PRESIDENT OF THE UNITED STATES***Libertarian Party*

James Goebel received 209,596 votes  
Scott Schluter received 209,596 votes  
Christopher Michael received 209,596 votes  
Denise Langnes received 209,596 votes  
Julie Fox received 209,596 votes  
Aaron Wright received 209,596 votes  
Ian Peak received 209,596 votes  
Jonathan Parker received 209,596 votes  
Steve Dutner received 209,596 votes  
Jeffery Jones received 209,596 votes  
Jennifer Floyd received 209,596 votes  
Jesse Adam received 209,596 votes  
Crystal Jurczynski received 209,596 votes  
Jeremiah Walker received 209,596 votes  
Justin Tucker received 209,596 votes  
Matthew Skopek received 209,596 votes  
Jose Mendoza received 209,596 votes  
Bennett Morris received 209,596 votes  
Karen Green received 209,596 votes  
Rodney Parker received 209,596 votes

**ELECTORS FOR PRESIDENT AND VICE PRESIDENT OF THE UNITED STATES***Green Party*

Dave Sacks received 76,802 votes  
Laurel Lambert Schmidt received 76,802 votes  
Walter Pituc received 76,802 votes  
Bob Mueller received 76,802 votes  
Dorian Breuer received 76,802 votes  
Andrea Quintanar-Schafer received 76,802 votes  
Jessica Bradshaw received 76,802 votes  
David Green received 76,802 votes  
Chris Blankenhorn received 76,802 votes

## PROCLAMATIONS

Ethan Bruce received 76,802 votes  
Rita Maniotis received 76,802 votes  
Nancy Wade received 76,802 votes  
Steve Alesch received 76,802 votes  
Julie Samuels received 76,802 votes  
George Milkowski received 76,802 votes  
Paula Bradshaw received 76,802 votes  
Josephine Campbell received 76,802 votes  
Karen Aram received 76,802 votes  
Don Crawford received 76,802 votes  
Luan Railsback received 76,802 votes

Issued by the Governor December 6, 2016  
Filed by the Secretary of State December 6, 2016

**2016-314****Comptroller Susana Mendoza**

**WHEREAS**, On the 8th day of November, 2016, an election was held in the State of Illinois for the election of the following officers, to-wit:

One (1) Comptroller for the unexpired term of two years.

**WHEREAS**, In pursuance of Law, the State Board of Elections appointed to canvass the returns of such election and to declare the results thereof, did, on this the 6th day of December, 2016, canvass the same, and as a result of such canvass, did declare elected the following named persons to the following named offices:

**COMPTROLLER**

Susana Mendoza

**NOW, THEREFORE, I, BRUCE RAUNER**, Governor of the State of Illinois, in conformity to statute in such case made and provided, do hereby make public proclamation, declaring as a result of such canvass the foregoing persons duly elected to the offices as set out above.

In Witness Whereof, I have hereunto set my hand and caused the Great Seal of the State of Illinois to be affixed.

## PROCLAMATIONS

Done at the Capitol, in the City of Springfield, this sixth day of December, in the Year of Our Lord two thousand and sixteen, and of the State of Illinois, the one hundred and ninety-eighth.

Issued by the Governor December 6, 2016

Filed by the Secretary of State December 6, 2016

**2016-315****US Senator Tammy Duckworth**

**WHEREAS**, On the 8th day of November, 2016, an election was held in the State of Illinois for the election of the following officers, to-wit:

One (1) United States Senator for the full term of six years.

**WHEREAS**, In pursuance of Law, the State Board of Elections appointed to canvass the returns of such election and to declare the results thereof, did, on this the 6th day of December, 2016, canvass the same, and as a result of such canvass, did declare elected the following named persons to the following named offices:

**UNITED STATES SENATOR**

Tammy Duckworth

**NOW, THEREFORE, I, BRUCE RAUNER**, Governor of the State of Illinois, in conformity to statute in such case made and provided, do hereby make public proclamation, declaring as a result of such canvass the foregoing persons duly elected to the offices as set out above.

In Witness Whereof, I have hereunto set my hand and caused the Great Seal of the State of Illinois to be affixed.

Done at the Capitol, in the City of Springfield, this sixth day of December, in the Year of Our Lord two thousand and sixteen, and of the State of Illinois, the one hundred and ninety-eighth.

Issued by the Governor December 6, 2016

Filed by the Secretary of State December 6, 2016

**2016-316****Illinois Representatives and Senators**

**WHEREAS**, On the 8th day of November, 2016, an election was held in the State of Illinois for the election of the following officers, to-wit:

## PROCLAMATIONS

Eighteen (18) Representatives in Congress, to-wit: One (1) Representative in Congress from each of the eighteen (18) Congressional Districts of the State for the full term of two years.

Twenty (20) State Senators, to-wit: One (1) State Senator from the 2nd, 5th, 8th, 11th, 14th, 17th, 20th, 23rd, 26th, 29th, 32nd, 35th, 38th, 41st, 44th, 47th, 50th, 53rd, 56th, 59th Legislative District for the full term of two years.

One Hundred Eighteen (118) Representatives in the General Assembly, to wit: One (1) Representative in Congress from each of the one hundred eighteen (118) Representative Districts of the State for the full term of two years.

**WHEREAS**, In pursuance of Law, the State Board of Elections appointed to canvass the returns of such election and to declare the results thereof, did, on this the 6th day of December, 2016, canvass the same, and as a result of such canvass, did declare elected the following named persons to the following named offices:

**REPRESENTATIVES TO REPRESENT THE PEOPLE OF THE STATE OF ILLINOIS  
IN THE 115th CONGRESS OF THE UNITED STATES**

**FIRST CONGRESSIONAL DISTRICT**

Bobby L. Rush

**SECOND CONGRESSIONAL DISTRICT**

Robin Kelly

**THIRD CONGRESSIONAL DISTRICT**

Daniel William Lipinski

**FOURTH CONGRESSIONAL DISTRICT**

Luis V. Gutierrez

**FIFTH CONGRESSIONAL DISTRICT**

Mike Quigley

**SIXTH CONGRESSIONAL DISTRICT**

Peter J. Roskam

**SEVENTH CONGRESSIONAL DISTRICT**

Danny K. Davis

PROCLAMATIONS

**EIGHTH CONGRESSIONAL DISTRICT**

Raja Krishnamoorthi

**NINTH CONGRESSIONAL DISTRICT**

Janice D. Schakowsky

**TENTH CONGRESSIONAL DISTRICT**

Brad Schneider

**ELEVENTH CONGRESSIONAL DISTRICT**

Bill Foster

**TWELFTH CONGRESSIONAL DISTRICT**

Michael Bost

**THIRTEENTH CONGRESSIONAL DISTRICT**

Rodney Davis

**FOURTEENTH CONGRESSIONAL DISTRICT**

Randall M. "Randy" Hultgren

**FIFTEENTH CONGRESSIONAL DISTRICT**

John M. Shimkus

**SIXTEENTH CONGRESSIONAL DISTRICT**

Adam Kinzinger

**SEVENTEENTH CONGRESSIONAL DISTRICT**

Cheri Bustos

**EIGHTEENTH CONGRESSIONAL DISTRICT**

Darin LaHood

**STATE SENATORS TO REPRESENT THE PEOPLE OF THE STATE OF ILLINOIS  
IN THE 100th GENERAL ASSEMBLY OF THE STATE**

**SECOND LEGISLATIVE DISTRICT**

Omar Aquino

**FIFTH LEGISLATIVE DISTRICT**

Patricia Van Pelt

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PROCLAMATIONS

**EIGHTH LEGISLATIVE DISTRICT**

Ira I. Silverstein

**ELEVENTH LEGISLATIVE DISTRICT**

Martin A. Sandoval

**FOURTEENTH LEGISLATIVE DISTRICT**

Emil Jones III

**SEVENTEENTH LEGISLATIVE DISTRICT**

Donne E. Trotter

**TWENTIETH LEGISLATIVE DISTRICT**

Iris Y. Martinez

**TWENTY-THIRD LEGISLATIVE DISTRICT**

Thomas E. Cullerton

**TWENTY-SIXTH LEGISLATIVE DISTRICT**

Dan Meconchie

**TWENTY-NINTH LEGISLATIVE DISTRICT**

Julie A. Morrison

**THIRTY-SECOND LEGISLATIVE DISTRICT**

Pamela Althoff

**THIRTY-FIFTH LEGISLATIVE DISTRICT**

Dave Syverson

**THIRTY-EIGHTH LEGISLATIVE DISTRICT**

Sue Rezin

**FORTY-FIRST LEGISLATIVE DISTRICT**

Christine Radogno

**FORTY-FOURTH LEGISLATIVE DISTRICT**

Bill Brady

**FORTY-SEVENTH LEGISLATIVE DISTRICT**

PROCLAMATIONS

Jil Tracy

**FIFTIETH LEGISLATIVE DISTRICT**

William "Sam" Mccann

**FIFTY-THIRD LEGISLATIVE DISTRICT**

Jason Barickman

**FIFTY-SIXTH LEGISLATIVE DISTRICT**

William "Bill" Haine

**FIFTY-NINTH LEGISLATIVE DISTRICT**

Dale Fowler

**STATE REPRESENTATIVES TO REPRESENT THE PEOPLE OF THE  
STATE OF ILLINOIS  
IN THE 100th GENERAL ASSEMBLY OF THE STATE**

**FIRST REPRESENTATIVE DISTRICT**

Daniel J. Burke

**SECOND REPRESENTATIVE DISTRICT**

Theresa Mah

**THIRD REPRESENTATIVE DISTRICT**

Luis Arroyo

**FOURTH REPRESENTATIVE DISTRICT**

Cynthia Soto

**FIFTH REPRESENTATIVE DISTRICT**

Juliana Stratton

**SIXTH REPRESENTATIVE DISTRICT**

Sonya Marie Harper

**SEVENTH REPRESENTATIVE DISTRICT**

Emanuel "Chris" Welch

**EIGHTH REPRESENTATIVE DISTRICT**

La Shawn K. Ford

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PROCLAMATIONS

**NINTH REPRESENTATIVE DISTRICT**

Arthur Turner

**TENTH REPRESENTATIVE DISTRICT**

Melissa Conyears

**ELEVENTH REPRESENTATIVE DISTRICT**

Ann M. Williams

**TWELFTH REPRESENTATIVE DISTRICT**

Sara Feigenholtz

**THIRTEENTH REPRESENTATIVE DISTRICT**

Gregory Harris

**FOURTEENTH REPRESENTATIVE DISTRICT**

Kelly M. Cassidy

**FIFTEENTH REPRESENTATIVE DISTRICT**

John C. D'amico

**SIXTEENTH REPRESENTATIVE DISTRICT**

Lou Lang

**SEVENTEENTH REPRESENTATIVE DISTRICT**

Laura Fine

**EIGHTEENTH REPRESENTATIVE DISTRICT**

Robyn Gabel

**NINETEENTH REPRESENTATIVE DISTRICT**

Robert Martwick

**TWENTIETH REPRESENTATIVE DISTRICT**

Michael P. Mcauliffe

**TWENTY-FIRST REPRESENTATIVE DISTRICT**

Silvana Tabares

**TWENTY-SECOND REPRESENTATIVE DISTRICT**

PROCLAMATIONS

Michael J. Madigan

**TWENTY-THIRD REPRESENTATIVE DISTRICT**

Michael J. Zalewski

**TWENTY-FOURTH REPRESENTATIVE DISTRICT**

Elizabeth "Lisa" Hernandez

**TWENTY-FIFTH REPRESENTATIVE DISTRICT**

Barbara Flynn Currie

**TWENTY-SIXTH REPRESENTATIVE DISTRICT**

Christian L. Mitchell

**TWENTY-SEVENTH REPRESENTATIVE DISTRICT**

Monique D. Davis

**TWENTY-EIGHTH REPRESENTATIVE DISTRICT**

Robert "Bob" Rita

**TWENTY-NINTH REPRESENTATIVE DISTRICT**

Thaddeus Jones

**THIRTIETH REPRESENTATIVE DISTRICT**

William "Will" Davis

**THIRTY-FIRST REPRESENTATIVE DISTRICT**

Mary E. Flowers

**THIRTY-SECOND REPRESENTATIVE DISTRICT**

André Thapedi

**THIRTY-THIRD REPRESENTATIVE DISTRICT**

Marcus C. Evans, Jr.

**THIRTY-FOURTH REPRESENTATIVE DISTRICT**

Elgie R. Sims, Jr.

**THIRTY-FIFTH REPRESENTATIVE DISTRICT**

Frances Ann Hurley

PROCLAMATIONS

**THIRTY-SIXTH REPRESENTATIVE DISTRICT**

Kelly M. Burke

**THIRTY-SEVENTH REPRESENTATIVE DISTRICT**

Margo Mcdermed

**THIRTY-EIGHTH REPRESENTATIVE DISTRICT**

Al Riley

**THIRTY-NINTH REPRESENTATIVE DISTRICT**

Will Guzzardi

**FORTIETH REPRESENTATIVE DISTRICT**

Jaime M. Andrade, Jr.

**FORTY-FIRST REPRESENTATIVE DISTRICT**

Grant Wehrli

**FORTY-SECOND REPRESENTATIVE DISTRICT**

Jeanne M. Ives

**FORTY-THIRD REPRESENTATIVE DISTRICT**

Anna Moeller

**FORTY-FOURTH REPRESENTATIVE DISTRICT**

Fred Crespo

**FORTY-FIFTH REPRESENTATIVE DISTRICT**

Christine Jennifer Winger

**FORTY-SIXTH REPRESENTATIVE DISTRICT**

Deb Conroy

**FORTY-SEVENTH REPRESENTATIVE DISTRICT**

Patricia R. "Patti" Bellock

**FORTY-EIGHTH REPRESENTATIVE DISTRICT**

Peter Breen

**FORTY-NINTH REPRESENTATIVE DISTRICT**

Mike Fortner

PROCLAMATIONS

**FIFTIETH REPRESENTATIVE DISTRICT**

Keith R. Wheeler

**FIFTY-FIRST REPRESENTATIVE DISTRICT**

Nick Sauer

**FIFTY-SECOND REPRESENTATIVE DISTRICT**

David Mcsweeney

**FIFTY-THIRD REPRESENTATIVE DISTRICT**

David Harris

**FIFTY-FOURTH REPRESENTATIVE DISTRICT**

Tom Morrison

**FIFTY-FIFTH REPRESENTATIVE DISTRICT**

Martin J. Moylan

**FIFTY-SIXTH REPRESENTATIVE DISTRICT**

Michelle Mussman

**FIFTY-SEVENTH REPRESENTATIVE DISTRICT**

Elaine Nekritz

**FIFTY-EIGHTH REPRESENTATIVE DISTRICT**

Scott Drury

**FIFTY-NINTH REPRESENTATIVE DISTRICT**

Carol Sente

**SIXTIETH REPRESENTATIVE DISTRICT**

Rita Mayfield

**SIXTY-FIRST REPRESENTATIVE DISTRICT**

Sheri Jesiel

**SIXTY-SECOND REPRESENTATIVE DISTRICT**

Sam Yingling

**SIXTY-THIRD REPRESENTATIVE DISTRICT**

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PROCLAMATIONS

Steven Reick

**SIXTY-FOURTH REPRESENTATIVE DISTRICT**

Barbara Wheeler

**SIXTY-FIFTH REPRESENTATIVE DISTRICT**

Steven A. Andersson

**SIXTY-SIXTH REPRESENTATIVE DISTRICT**

Allen Skillicorn

**SIXTY-SEVENTH REPRESENTATIVE DISTRICT**

Litesa E. Wallace

**SIXTY-EIGHTH REPRESENTATIVE DISTRICT**

John M. Cabello

**SIXTY-NINTH REPRESENTATIVE DISTRICT**

Joe Sosnowski

**SEVENTIETH REPRESENTATIVE DISTRICT**

Robert W. Pritchard

**SEVENTY-FIRST REPRESENTATIVE DISTRICT**

Tony M. Mccombe

**SEVENTY-SECOND REPRESENTATIVE DISTRICT**

Michael W. Halpin

**SEVENTY-THIRD REPRESENTATIVE DISTRICT**

Ryan Spain

**SEVENTY-FOURTH REPRESENTATIVE DISTRICT**

Daniel M. Swanson

**SEVENTY-FIFTH REPRESENTATIVE DISTRICT**

David Allen Welter

**SEVENTY-SIXTH REPRESENTATIVE DISTRICT**

Jerry Lee Long

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PROCLAMATIONS

**SEVENTY-SEVENTH REPRESENTATIVE DISTRICT**

Kathleen Willis

**SEVENTY-EIGHTH REPRESENTATIVE DISTRICT**

Camille Lilly

**SEVENTY-NINTH REPRESENTATIVE DISTRICT**

Lindsay Parkhurst

**EIGHTIETH REPRESENTATIVE DISTRICT**

Anthony Deluca

**EIGHTY-FIRST REPRESENTATIVE DISTRICT**

David S. Olsen

**EIGHTY-SECOND REPRESENTATIVE DISTRICT**

Jim Durkin

**EIGHTY-THIRD REPRESENTATIVE DISTRICT**

Linda Chapa Lavia

**EIGHTY-FOURTH REPRESENTATIVE DISTRICT**

Stephanie A. Kifowit

**EIGHTY-FIFTH REPRESENTATIVE DISTRICT**

Emily Mcasey

**EIGHTY-SIXTH REPRESENTATIVE DISTRICT**

Lawrence "Larry" Walsh, Jr.

**EIGHTY-SEVENTH REPRESENTATIVE DISTRICT**

Tim Butler

**EIGHTY-EIGHTH REPRESENTATIVE DISTRICT**

Keith P. Sommer

**EIGHTY-NINTH REPRESENTATIVE DISTRICT**

Brian W. Stewart

**NINETIETH REPRESENTATIVE DISTRICT**

Tom Demmer

PROCLAMATIONS

**NINETY-FIRST REPRESENTATIVE DISTRICT**

Michael D. Unes

**NINETY-SECOND REPRESENTATIVE DISTRICT**

Jehan Gordon-Booth

**NINETY-THIRD REPRESENTATIVE DISTRICT**

Norine K. Hammond

**NINETY-FOURTH REPRESENTATIVE DISTRICT**

Randy E. Frese

**NINETY-FIFTH REPRESENTATIVE DISTRICT**

Avery Bourne

**NINETY-SIXTH REPRESENTATIVE DISTRICT**

Sue Scherer

**NINETY-SEVENTH REPRESENTATIVE DISTRICT**

Mark Batinick

**NINETY-EIGHTH REPRESENTATIVE DISTRICT**

Natalie A. Manley

**NINETY-NINTH REPRESENTATIVE DISTRICT**

Sara Wojcicki Jimenez

**ONE HUNDREDTH REPRESENTATIVE DISTRICT**

Christopher "C.D." Davidsmeyer

**ONE HUNDRED AND FIRST REPRESENTATIVE DISTRICT**

Bill Mitchell

**ONE HUNDRED AND SECOND REPRESENTATIVE DISTRICT**

Brad Halbrook

**ONE HUNDRED AND THIRD REPRESENTATIVE DISTRICT**

Carol Ammons

**ONE HUNDRED AND FOURTH REPRESENTATIVE DISTRICT**

PROCLAMATIONS

Chad Hays

**ONE HUNDRED AND FIFTH REPRESENTATIVE DISTRICT**

Dan Brady

**ONE HUNDRED AND SIXTH REPRESENTATIVE DISTRICT**

Thomas M. Bennett

**ONE HUNDRED AND SEVENTH REPRESENTATIVE DISTRICT**

John Cavaletto

**ONE HUNDRED AND EIGHTH REPRESENTATIVE DISTRICT**

Charles Meier

**ONE HUNDRED AND NINTH REPRESENTATIVE DISTRICT**

David B. Reis

**ONE HUNDRED AND TENTH REPRESENTATIVE DISTRICT**

Reginald "Reggie" Phillips

**ONE HUNDRED AND ELEVENTH REPRESENTATIVE DISTRICT**

Daniel V. Beiser

**ONE HUNDRED AND TWELFTH REPRESENTATIVE DISTRICT**

Katie Stuart

**ONE HUNDRED AND THIRTEENTH REPRESENTATIVE DISTRICT**

Jay Hoffman

**ONE HUNDRED AND FOURTEENTH REPRESENTATIVE DISTRICT**

Latoya N. Greenwood

**ONE HUNDRED AND FIFTEENTH REPRESENTATIVE DISTRICT**

Terri Bryant

**ONE HUNDRED AND SIXTEENTH REPRESENTATIVE DISTRICT**

Jerry Costello II

**ONE HUNDRED AND SEVENTEENTH REPRESENTATIVE DISTRICT**

Dave Severin

## PROCLAMATIONS

**ONE HUNDRED AND EIGHTEENTH REPRESENTATIVE DISTRICT**

Brandon W. Phelps

**NOW, THEREFORE, I, BRUCE RAUNER**, Governor of the State of Illinois, in conformity to statute in such case made and provided, do hereby make public proclamation, declaring as a result of such canvass the foregoing persons duly elected to the offices as set out above.

In Witness Whereof, I have hereunto set my hand and caused the Great Seal of the State of Illinois to be affixed.

Done at the Capitol, in the City of Springfield, this sixth day of December, in the Year of Our Lord two thousand and sixteen, and of the State of Illinois, the one hundred and ninety-eighth.

Issued by the Governor December 6, 2016

Filed by the Secretary of State December 6, 2016

**2016-317****Regional Superintendent of Schools**

**WHEREAS**, On the 8th day of November, 2016, an election was held in the State of Illinois for the election of the following officers, to-wit:

Three (3) Regional Superintendents of Schools, for an unexpired two year term, to wit: One (1) Regional Superintendent of Schools from the Adams, Brown, Cass, Morgan, Pike and Scott Region, one (1) from the Calhoun, Greene, Jersey and Macoupin Region, and one (1) from the Mason, Tazewell and Woodford Region.

**WHEREAS**, In pursuance of Law, the State Board of Elections appointed to canvass the returns of such election and to declare the results thereof, did, on this the 6th day of December, 2016, canvass the same, and as a result of such canvass, did declare elected the following named persons to the following named offices:

**REGIONAL SUPERINTENDENT OF SCHOOLS****Adams, Brown, Cass, Morgan, Pike and Scott**

*(For an unexpired two year term)*

Jill Reis

**Calhoun, Greene, Jersey and Macoupin**

*(For an unexpired two year term)*

Michelle Mueller

## PROCLAMATIONS

**Mason, Tazewell and Woodford***(For an unexpired two year term)*

Patrick Durley

**NOW, THEREFORE, I, BRUCE RAUNER**, Governor of the State of Illinois, in conformity to statute in such case made and provided, do hereby make public proclamation, declaring as a result of such canvass the foregoing persons duly elected to the offices as set out above.

In Witness Whereof, I have hereunto set my hand and caused the Great Seal of the State of Illinois to be affixed.

Done at the Capitol, in the City of Springfield, this sixth day of December, in the Year of Our Lord two thousand and sixteen, and of the State of Illinois, the one hundred and ninety-eighth.

Issued by the Governor December 6, 2016

Filed by the Secretary of State December 6, 2016

**2016-318****Appellate and Circuit Court Judges**

**WHEREAS**, On the 8th day of November, 2016, an election was held in the State of Illinois for the election of the following judges, to-wit:

Appellate Court Judges to fill the First Judicial District vacancies of the Honorable James R. Epstein and Honorable Patrick J. Quinn; to fill the Fifth Judicial District vacancies of the Honorable Bruce D. Stewart and Honorable James M. Wexstten.

Circuit Court Judges to fill:

The Cook County Judicial Circuit vacancies of the Honorable Marilyn F. Johnson, the Honorable Michael J. Howlett, Jr., the Honorable Noreen V. Love, the Honorable Patrick W. O'Brien, the Honorable Paul P. Biebel, Jr., the Honorable Richard F. Walsh, the Honorable Richard J. Elrod, the Honorable Stuart E. Palmer, the Honorable Susan Ruscitti Grussel, the Honorable Themis N. Karnezis and the Honorable Thomas L. Hogan;

The Cook County Judicial Circuit, First Subcircuit vacancies of the Honorable Cynthia Y. Brim and the Honorable Vanessa A. Hopkins;

The Cook County Judicial Circuit, Second Subcircuit vacancy of the Honorable Drella Savage;

## PROCLAMATIONS

The Cook County Judicial Circuit, Fourth Subcircuit vacancy of the Honorable William J. Kunkle;

The Cook County Judicial Circuit, Fifth Subcircuit vacancies of the Honorable Jane L. Stuart, the Honorable Loretta Eadie-Daniels, and the Honorable Shelli Williams;

The Cook County Judicial Circuit, Sixth Subcircuit vacancies of the Honorable Edmund Ponce de Leon, the Honorable Leida J. Gonzalez Santiago and additional judgeship A;

The Cook County Judicial Circuit, Seventh Subcircuit vacancies of the Honorable Anita Rivkin-Carothers and the Honorable Anthony L. Burrell;

The Cook County Judicial Circuit, Ninth Subcircuit vacancy of the Honorable Andrew Berman;

The Cook County Judicial Circuit, Tenth Subcircuit vacancy of the Honorable Garritt E. Howard;

The Cook County Judicial Circuit, Eleventh Subcircuit vacancies of the Honorable Carol A. Kelly and the Honorable Susan F. Zwick;

The Cook County Judicial Circuit, Twelfth Subcircuit vacancies of the Honorable Joseph G. Kazmierski, Jr., the Honorable Sandra Tristano, the Honorable Veronica B. Mathein and additional judgeship A;

The Cook County Judicial Circuit, Thirteenth Subcircuit vacancy of the Honorable Thomas P. Fecarotta, Jr.;

The Cook County Judicial Circuit, Fourteenth Subcircuit vacancy of the Honorable Lisa Ruble Murphy;

The First Judicial Circuit, Alexander County vacancy of the Honorable Stephen L. Spomer;

The Second Judicial Circuit, Edwards County vacancy of the Honorable David K. Frankland;

The Fourth Judicial Circuit, Christian County vacancy of the Honorable Ronald D. Spears and the Fourth Judicial Circuit, Fayette County vacancy of the Honorable S. Gene Schwarm;

The Fifth Judicial Circuit, Cumberland County vacancy of the Honorable Millard S. Everhart;

## PROCLAMATIONS

The Sixth Judicial Circuit, DeWitt County vacancy of the Honorable Garry W. Bryan and the Sixth Judicial Circuit, Macon County vacancy of the Honorable Lisa Holder White;

The Seventh Judicial Circuit vacancies of the Honorable Patrick J. Londrigan and the Honorable Patrick W. Kelley;

The Eighth Judicial Circuit, Adams County vacancy of the Honorable Scott H. Walden and the Eighth Judicial Circuit, Schuyler County vacancy of the Honorable Alesia A. McMillen;

The Ninth Judicial Circuit vacancies of the Honorable James B. Stewart and the Honorable Steven R. Bordner;

The Tenth Judicial Circuit, Marshall County vacancy of the Honorable Kevin R. Galley and the Tenth Judicial Circuit, Peoria County vacancy of the Honorable Michael Brandt;

The Eleventh Judicial Circuit vacancies of the Honorable Charles G. Reynard and the Honorable Elizabeth A. Robb and the Eleventh Judicial Circuit, Woodford County vacancy of the Honorable John B. Huschen;

The Fourteenth Judicial Circuit, Rock Island County vacancy of the Honorable F. Michael Meersman;

The Fifteenth Judicial Circuit, Stephenson County vacancy of the Honorable Theresa L. Ursin; The Eighteenth Judicial Circuit vacancies of the Honorable Michael J. Burke and the Honorable Rodney W. Equi and the Eighteenth Judicial Circuit, DuPage County vacancy of the Honorable John T. Elsner;

The Nineteenth Judicial Circuit, Fourth Subcircuit additional judgeship A;

The Twentieth Judicial Circuit vacancies of the Honorable C. John Baricevic and the Honorable Robert Haida and the Twentieth Judicial Circuit, St. Clair county vacancy of the Honorable Robert P. LeChien;

The Twenty-First Judicial Circuit, Iroquois County vacancy of the Honorable Gordon L. Lustfeldt and the Twenty-First Judicial Circuit, Kankakee County vacancy of the Honorable Kendall O. Wenzelman;

The Twenty-Second Judicial Circuit, McHenry County vacancy of the Honorable Gordon E. Graham;

## PROCLAMATIONS

The Twenty-Third Judicial Circuit, DeKalb County additional judgeship A and the Twenty-Third Judicial Circuit, Kendall County additional judgeship A.

**WHEREAS**, In pursuance of Law, the State Board of Elections appointed to canvass the returns of such election and to declare the results thereof, did, on this the 6th day of December, 2016, canvass the same, and as a result of such canvass, did declare elected the following named persons to the following named offices:

**JUDGE OF THE APPELLATE COURT****First Judicial District**

*To fill the vacancy of the Honorable James R. Epstein*

Eileen O'Neill Burke

*To fill the vacancy of the Honorable Patrick J. Quinn*

Bertina E. Lampkin

**Fifth Judicial District**

*To fill the vacancy of the Honorable Bruce D. Stewart*

John B. Barberis, Jr.

*To fill the vacancy of the Honorable James M. Wexstten*

James R. "Randy" Moore

**JUDGE OF THE CIRCUIT COURT****First Judicial Circuit – Alexander County**

*To fill the vacancy of the Honorable Stephen L. Spomer*

Jeffery B. Farris

**Second Judicial Circuit – Edwards County**

*To fill the vacancy of the Honorable David K. Frankland*

Michael J. Valentine

**Fourth Judicial Circuit – Christian County**

*To fill the vacancy of the Honorable Ronald D. Spears*

Braid Paisley

**Fourth Judicial Circuit – Fayette County**

*To fill the vacancy of the Honorable S. Gene Schwarm*

Don Sheafor Jr.

**Fifth Judicial Circuit – Cumberland County**

## PROCLAMATIONS

*To fill the vacancy of the Honorable Millard S. Everhart*  
Jonathan T. Braden

**Sixth Judicial Circuit – DeWitt County**

*To fill the vacancy of the Honorable Garry W. Bryan*  
Karle E. Koritz

**Sixth Judicial Circuit – Macon County**

*To fill the vacancy of the Honorable Lisa Holder White*  
Thomas E. Little

**Seventh Judicial Circuit**

*To fill the vacancy of the Honorable Patrick J. Londrigan*  
April Troemper

*To fill the vacancy of the Honorable Patrick W. Kelley*  
Ryan Cadagin

**Eighth Judicial Circuit – Adams County**

*To fill the vacancy of the Honorable Scott H. Walden*  
Scott D. Larson

**Eighth Judicial Circuit – Schuyler County**

*To fill the vacancy of the Honorable Alesia A. McMillen*  
Scott J. Butler

**Ninth Judicial Circuit**

*To fill the vacancy of the Honorable James B. Stewart*  
Heidi A. Benson

*To fill the vacancy of the Honorable Steven R. Bordner*  
Raymond A. Cavanaugh

**Tenth Judicial Circuit – Marshall County**

*To fill the vacancy of the Honorable Kevin R. Galley*  
Michael P. McCuskey

**Tenth Judicial Circuit – Peoria County**

*To fill the vacancy of the Honorable Michael Brandt*  
Jodi M. Hoos

**Eleventh Judicial Circuit**

*To fill the vacancy of the Honorable Charles G. Reynard*

## PROCLAMATIONS

Mark A. Fellheimer

*To fill the vacancy of the Honorable Elizabeth A. Robb*

Casey Costigan

**Eleventh Judicial Circuit – Woodford County**

*To fill the vacancy of the Honorable John B. Huschen*

Charles M. Feeney, III

**Fourteenth Judicial Circuit – Rock Island County**

*To fill the vacancy of the Honorable F. Michael Meersman*

Kathleen Mesich

**Fifteenth Judicial Circuit – Stephenson County**

*To fill the vacancy of the Honorable Theresa L. Ursin*

James M. Hauser

**Eighteenth Judicial Circuit**

*To fill the vacancy of the Honorable Michael J. Burke*

Brian F. Telander

*To fill the vacancy of the Honorable Rodney W. Equi*

Paul Michael Fullerton

**Eighteenth Judicial Circuit – DuPage County**

*To fill the vacancy of the Honorable John T. Elsner*

Liam Christopher Brennan

**Nineteenth Judicial Circuit – Fourth Subcircuit**

*To fill additional judgeship A*

Mitchell L. Hoffman

**Twentieth Judicial Circuit**

*To fill the vacancy of the Honorable C. John Baricevic*

Robert B. Haida

*To fill the vacancy of the Honorable Robert Haida*

Ronald R. Duebbert

**Twentieth Judicial Circuit – St. Clair County**

*To fill the vacancy of the Honorable Robert P. LeChien*

Robert P. LeChien

**Twenty-First Judicial Circuit – Iroquois County**

*To fill the vacancy of the Honorable Gordon L. Lustfeldt*

## PROCLAMATIONS

James B. Kinzer

**Twenty-First Judicial Circuit – Kankakee County**

*To fill the vacancy of the Honorable Kendall O. Wenzelman*

Michael D. Kramer

**Twenty-Second Judicial Circuit – McHenry County**

*To fill the vacancy of the Honorable Gordon E. Graham*

James S. Cowlin

**Twenty-Third Judicial Circuit – DeKalb County**

*To fill additional judgeship A*

Bradley J. Waller

**Twenty-Third Judicial Circuit – Kendall County**

*To fill additional judgeship A*

Stephen L. Krentz

**Cook County Judicial Circuit**

*To fill the vacancy of the Honorable Paul P. Biebel, Jr.*

John Fitzgerald Lyke, Jr.

*To fill the vacancy of the Honorable Marilyn F. Johnson*

Carolyn J. Gallagher

*To fill the vacancy of the Honorable Michael J. Howlett, Jr.*

Aleksandra "Alex" Gillespie

*To fill the vacancy of the Honorable Noreen V. Love*

Brendan A. O'Brien

*To fill the vacancy of the Honorable Patrick W. O'Brien*

Maureen O'Donoghue Hannon

*To fill the vacancy of the Honorable Richard F. Walsh*

Patrick Joseph Powers

*To fill the vacancy of the Honorable Richard J. Elrod*

Rossana Patricia Fernandez

*To fill the vacancy of the Honorable Stuart E. Palmer*

Susana L. Ortiz

*To fill the vacancy of the Honorable Susan Ruscitti Grussel*

Daniel Patrick Duffy

*To fill the vacancy of the Honorable Themis N. Karnezis*

Mary Kathleen McHugh

*To fill the vacancy of the Honorable Thomas L. Hogan*

Alison C. Conlon

## PROCLAMATIONS

**Cook County Judicial Circuit – First Subcircuit**

*To fill the vacancy of the Honorable Cynthia Y. Brim*

Jesse Outlaw

*To fill the vacancy of the Honorable Vanessa A. Hopkins*

Rhonda Crawford

**Cook County Judicial Circuit – Second Subcircuit**

*To fill the vacancy of the Honorable Drella Savage*

D. Renee Jackson

**Cook County Judicial Circuit – Fourth Subcircuit**

*To fill the vacancy of the Honorable William J. Kunkle*

Edward J. King

**Cook County Judicial Circuit – Fifth Subcircuit**

*To fill the vacancy of the Honorable Jane L. Stuart*

Freddrenna M. Lyle

*To fill the vacancy of the Honorable Loretta Eadie-Daniels*

Leonard Murray

*To fill the vacancy of the Honorable Shelli Williams*

Daryl Jones

**Cook County Judicial Circuit – Sixth Subcircuit**

*To fill the vacancy of the Honorable Edmund Ponce de Leon*

Eulalia "Evie" De La Rosa

*To fill the vacancy of the Honorable Leida J. Gonzalez Santiago*

Richard C. Cooke

*To fill additional judgeship A*

Anna Loftus

**Cook County Judicial Circuit – Seventh Subcircuit**

*To fill the vacancy of the Honorable Anita Rivkin-Carothers*

Patricia "Pat" S. Spratt

*To fill the vacancy of the Honorable Anthony L. Burrell*

Marianne Jackson

**Cook County Judicial Circuit – Ninth Subcircuit**

*To fill the vacancy of the Honorable Andrew Berman*

Jerry Esrig

## PROCLAMATIONS

**Cook County Judicial Circuit – Tenth Subcircuit**

To fill the vacancy of the Honorable Garritt E. Howard  
Eve Marie Reilly

**Cook County Judicial Circuit – Eleventh Subcircuit**

To fill the vacancy of the Honorable Carol A. Kelly  
Catherine Ann Schneider

To fill the vacancy of the Honorable Susan F. Zwick  
William B. Sullivan

**Cook County Judicial Circuit – Twelfth Subcircuit**

*To fill the vacancy of the Honorable Joseph G. Kazmierski, Jr.*  
Marguerite Anne Quinn

*To fill the vacancy of the Honorable Sandra Tristano*  
Carrie Hamilton

*To fill the vacancy of the Honorable Veronica B. Mathein*  
James Leonard Allegretti

To fill additional judgeship A  
Steven A. Kozicki

**Cook County Judicial Circuit – Thirteenth Subcircuit**

*To fill the vacancy of the Honorable Thomas P. Fecarotta, Jr.*  
Kevin Michael O'Donnell

**Cook County Judicial Circuit – Fourteenth Subcircuit**

*To fill the vacancy of the Honorable Lisa Ruble Murphy.*  
Matthew Link

**NOW, THEREFORE, I, BRUCE RAUNER**, Governor of the State of Illinois, in conformity to statute in such case made and provided, do hereby make public proclamation, declaring as a result of such canvass the foregoing persons duly elected to the offices as set out above. In Witness Whereof, I have hereunto set my hand and caused the Great Seal of the State of Illinois to be affixed.

Done at the Capitol, in the City of Springfield, this sixth day of December, in the Year of Our Lord two thousand and sixteen, and of the State of Illinois, the one hundred and ninety-eighth.

Issued by the Governor December 6, 2016  
Filed by the Secretary of State December 6, 2016

## PROCLAMATIONS

**2016-319  
Judges' Retention**

**WHEREAS**, On the 8th day of November, 2016, an election was held in the State of Illinois for the retention of the following judges, to-wit:

Appellate Court Judges from the First, Third and Fourth Judicial Districts;

Circuit Court Judges from the First, Second, Third, Fourth, Fifth, Sixth, Seventh, Eighth, Ninth, Tenth, Eleventh, Twelfth, Thirteenth, Fourteenth, Sixteenth, Seventeenth, Eighteenth, Nineteenth, Twentieth, Twenty-first, Twenty-third and Cook County Judicial Circuits.

**WHEREAS**, In pursuance of Law, the State Board of Elections appointed to canvass the returns of such election and to declare the results thereof, did, on this the 6th day of December, 2016, canvass the same, and as a result of such canvass, did declare retained the following named persons to the following named offices:

**RETENTION****Judge of the Appellate Court**

*First Judicial Circuit*  
Joy Virginia Cunningham

*Third Judicial Circuit*  
Vicki R. Wright

*Fourth Judicial Circuit*  
James A. Knecht

**Judge of the Circuit Court**

*First Judicial Circuit*  
William G. Schwartz  
W. Charles Grace

*Second Judicial Circuit*  
Robert M. Hopkins  
Larry D. Dunn  
Paul W. Lamar

## PROCLAMATIONS

*Third Judicial Circuit*

A. Andreas "Andy" Matoesian  
William A. Mudge

*Fourth Judicial Circuit*

Wm. Robin Todd  
Douglas L. Jarman  
Mike McHaney  
Mark W. Stedelin

*Fifth Judicial Circuit*

James R. Glenn  
Teresa K. Righter  
Matt Sullivan

*Sixth Judicial Circuit*

Heidi Ladd

*Seventh Judicial Circuit*

Peter C. Cavanagh

*Eighth Judicial Circuit*

Mark A. Drummond  
Alan D. Tucker  
Robert Adrian

*Ninth Judicial Circuit*

William E. Poncin

*Tenth Judicial Circuit*

Michael D. Risinger  
John P. Vespa

*Eleventh Judicial Circuit*

Scott Drazewski

*Twelfth Judicial Circuit*

Carmen Goodman  
John C. Anderson  
Barbara "Bobbi" N. Petrunaro  
Michael J. Powers

## PROCLAMATIONS

Raymond (Ray) E. Rossi

*Thirteenth Judicial Circuit*

Howard Chris Ryan, Jr.  
Marc P. Bernabei  
Lance R. Peterson

*Fourteenth Judicial Circuit*

Lori R. Lefstein  
James G. Conway, Jr.  
Clarence "Mike" Darrow  
Frank Fuhr

*Sixteenth Judicial Circuit*

Robert B. Spence  
Susan Clancy Boles  
David R. Akemann  
Kevin T. Busch

*Seventeenth Judicial Circuit*

Kathryn E. Zenoff  
Janet R. Holmgren  
Rob Tobin

*Eighteenth Judicial Circuit*

Bonnie M. Wheaton  
Kenneth L. Popejoy  
Daniel P. Guerin  
Dorothy French Mallen  
Ronald D. Sutter

*Nineteenth Judicial Circuit*

Margaret J. Mullen  
Victoria A. Rossetti  
Jorge L. Ortiz  
Diane E. Winter  
Mark L. Levitt

*Twentieth Judicial Circuit*

Richard A. Brown

## PROCLAMATIONS

*Twenty-first Judicial Circuit*

Kathy Bradshaw Elliott

*Twenty-third Judicial Circuit*

Robbin J. Stuckert

Timothy J. McCann

Thomas L. Doherty

Robert P. (Bob) Pilmer

**Cook County Judicial Circuit**

Robert Balanoff

Jeanne R. Cleveland Bernstein

Kathleen Marie Burke

Kay Marie Hanlon

Thomas J. Kelley

Clare Elizabeth McWilliams

Mary Lane Mikva

Bonita Coleman

Ann Finley Collins

Daniel J. Gallagher

Sharon O. Johnson

Linzey D. Jones

Terry MacCarthy

Sandra G. Ramos

Sophia H. Hall

Patrick T. Murphy

Timothy Patrick Murphy

Jim Ryan

Edward "Ed" Washington, II

Thaddeus L. Wilson

John C. Griffin

Daniel James Pierce

William H. Hooks

Thomas V. Lyons

Raymond W. Mitchell

Edward Harmening

Allen F. Murphy

Daniel Malone

Geary W. Kull

John P. Callahan, Jr.

Steven James Bernstein

## PROCLAMATIONS

Susan Kennedy Sullivan  
Irwin J. Solganick  
Alexander Patrick White  
Vincent Michael Gaughan  
Robert W. Bertucci  
Deborah Mary Dooling  
Timothy C. Evans  
Cheyrl D. Ingram  
Raymond L. Jagielski  
Bertina E. Lampkin  
William Maki  
Sharon Marie Sullivan  
James Patrick McCarthy  
Arnette R. Hubbard  
Nicholas R. Ford  
Charles Patrick Burns  
Denise Kathleen Filan  
John Patrick Kirby  
Diane Joan Larsen  
Daniel Joseph Lynch  
Kathleen Mary Pantle  
Kevin Michael Sheehan  
John D. Turner, Jr.  
LeRoy K. Martin, Jr.  
Paula Marie Daleo  
Laurence J. Dunford

**NOW, THEREFORE, I, BRUCE RAUNER**, Governor of the State of Illinois, in conformity to statute in such case made and provided, do hereby make public proclamation, declaring as a result of such canvass the foregoing persons duly retained to the offices as set out above.

In Witness Whereof, I have hereunto set my hand and caused the Great Seal of the State of Illinois to be affixed.

Done at the Capitol, in the City of Springfield, this sixth day of December, in the Year of Our Lord two thousand and sixteen, and of the State of Illinois, the one hundred and ninety-eighth.

Issued by the Governor December 6, 2016  
Filed by the Secretary of State December 6, 2016

## PROCLAMATIONS

**2016-320****Trustees of the Prairie Dupont Levee and Sanitary District**

**WHEREAS**, On the 8th day of November, 2016, an election was held in the State of Illinois for the election of the following officers, to-wit:

Five (5) Trustees of the Prairie Dupont Levee and Sanitary District.

**WHEREAS**, In pursuance of Law, the State Board of Elections appointed to canvass the returns of such election and to declare the results thereof, did, on this the 2nd day of December, 2016, canvass the same, and as a result of such canvass, did declare elected the following named persons to the following named offices:

**TRUSTEES OF THE PRAIRIE DUPONT LEVEE AND SANITARY DISTRICT**

Randy C. Bolle  
Michael H. Lindhorst  
Jule Levin  
David Walster  
Michael Sullivan

**NOW, THEREFORE, I, BRUCE RAUNER**, Governor of the State of Illinois, in conformity to statute in such case made and provided, do hereby make public proclamation, declaring as a result of such canvass the foregoing persons duly elected to the offices as set out above.

In Witness Whereof, I have hereunto set my hand and caused the Great Seal of the State of Illinois to be affixed.

Done at the Capitol, in the City of Springfield, this second day of December, in the Year of Our Lord two thousand and sixteen, and of the State of Illinois, the one hundred and ninety-eighth.

Issued by the Governor December 6, 2016

Filed by the Secretary of State December 6, 2016

**ILLINOIS ADMINISTRATIVE CODE**  
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