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December 30, 2016 Volume 40, Issue 53

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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

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.

ILLINOIS COMMUNITY COLLEGE BOARD

NOTICE OF PROPOSED REPEALER

- 1) Heading of the Part: Public Access to Information
- 2) Code Citation: 2 Ill. Adm. Code 5176
- 3)

<u>Section Numbers</u> :	<u>Proposed Actions</u> :
5176.110	Repealed
5176.120	Repealed
- 4) Statutory Authority: Implementing and authorized by the Freedom of Information Act [5 ILCS 140]
- 5) A Complete Description of the Subjects and Issues Involved: This Part is outdated and must be replaced to allow the Illinois Community College Board to operate in compliance with the Illinois Freedom of Information Act.
- 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 will not require a local government to establish, expand or modify its activities in such a way as to necessitate additional expenditures from local revenues.
- 12) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Comments on the proposed rulemaking may be submitted in writing for a period of 45 days following publication of this Notice to:

Illinois Community College Board
Attn: Matt Berry
401 East Capitol Avenue
Springfield IL 62701-1711

ILLINOIS COMMUNITY COLLEGE BOARD

NOTICE OF PROPOSED REPEALER

217/785-7411
fax: 217/524-4981
Matt.berry@illinois.gov

- 13) Initial Regulatory Flexibility Analysis:
- A) Types of small businesses, small municipalities and not-for-profit corporations affected: None
 - B) Reporting, bookkeeping or other procedures required for compliance: None
 - C) Types of professional skills necessary for compliance: None
- 14) Regulatory Agenda on which this rulemaking was summarized: None

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

ILLINOIS COMMUNITY COLLEGE BOARD

NOTICE OF PROPOSED REPEALER

TITLE 2: GOVERNMENTAL ORGANIZATION
SUBTITLE F: EDUCATIONAL AGENCIES
CHAPTER VIII: ILLINOIS COMMUNITY COLLEGE BOARD

PART 5176

PUBLIC ACCESS TO INFORMATION (REPEALED)

Section

- 5176.110 Information Requests
5176.120 Minutes of Closed Sessions

AUTHORITY: Implementing and authorized by the Freedom of Information Act (Ill. Rev. Stat. 1989, ch. 116, pars. 201 et seq.), the Open Meetings Act (Ill. Rev. Stat. 1989, ch. 102, par. 42.06) and Section 5-15 of the Illinois Administrative Procedure Act (Ill. Rev. Stat. 1991, ch. 127, par. 1005-15).

SOURCE: Adopted at 8 Ill. Reg. 15572, effective August 15, 1984; amended at 14 Ill. Reg. 14387, effective August 27, 1990; repealed at 41 Ill. Reg. _____, effective _____.

Section 5176.110 Information Requests

- a) Any person seeking electronic information or other records from the Illinois Community College Board may do so by contacting the Executive Director at 509 South Sixth Street, Room 400, Springfield, Illinois 62701-1874. Requests will be processed in accordance with the provisions of the Freedom of Information Act. In order for requests to be processed, the Board requires that the request be received in writing and include, at a minimum, the information listed below.
- 1) the name, address, and phone number of the requestor;
 - 2) a description of the information requested;
 - 3) an indication of whether the records are to be inspected at the ICCB office or mailed to the requestor and, if sent, whether or not the copy(ies) is to be certified;
 - 4) the date of the request and when a response is required.
- b) A form for providing this information is available from the ICCB Executive

ILLINOIS COMMUNITY COLLEGE BOARD

NOTICE OF PROPOSED REPEALER

Director.

- c) Records requested and approved for release may be inspected at the ICCB Office between the hours of 8:30 a.m. and 4:30 p.m., Monday through Friday, except on designated holidays.
- d) Records which are stored and retrieved by electronic data processing means will be printed in a format understandable to the person not familiar with electronic data processing. If information is requested on a disk or tape, the requestor must furnish a disk or tape to the Illinois Community College Board. The Illinois Community College Board will provide a description of the disk or tape format to the requestor.
- e) Information requests that necessitate special computer analyses will be provided within a time frame determined appropriate by the Deputy Director for Research.
- f) Computerized unit record data containing information on individuals (student enrollment and completion records and faculty and staff records) will be provided under the following conditions:
 - 1) there is written agreement from the requestor that the data will be used only for specified research purposes;
 - 2) there is written agreement from the requestor that the data will not be provided to a third party;
 - 3) record identifiers (Social Security Numbers) will be removed before records are released by the ICCB unless the data release is covered under the Family Educational and Privacy Act, 20 U.S.C. Section 1232g(b)(1). This section indicates that records may be disclosed to "other school officials, including teachers within the educational institution or local educational agencies," who have been determined by such agency or institution to have "legitimate educational interests."
- g) All data provided will be at the costs specified below unless the Executive Director elects to waive such fees:

Certification fee

\$ 1.00 per request

ILLINOIS COMMUNITY COLLEGE BOARD

NOTICE OF PROPOSED REPEALER

Paper copy from paper original	
8½" x 11"	\$.25
8½" x 14"	\$.25
Larger than legal size	\$ 1.00
Paper copy from microfilm original	Commercial cost of reproduction
Videocassette/Audiocassette	Commercial cost of reproduction
Computer paper	\$.65 per 1,000 lines
Computer printout	_____
Computer tape (1600 BPI only) (requestor must provide tape)	\$500.00 per CPU hour
Diskettes (requestor must provide diskette)	_____

Section 5176.120 Minutes of Closed Sessions

The ICCB will review its closed session minutes in January and July of each year to determine if such minutes, or any part of such minutes, may be released as public documents. The Board Chairman and Vice Chairman, prior to the January and July meetings, will review the minutes of all closed sessions conducted during the previous six months and made a recommendation for action to the Board based on the relevant provisions of the Public Community College Act (Ill. Rev. Stat. 1989, ch. 122, pars. 101 et seq.), the Freedom of Information Act (Ill. Rev. Stat. 1989, ch. 116, pars. 201 et seq.), and the Open Meetings Act (Ill. Rev. Stat. 1989, ch. 102, pars. 41 et seq.).

ILLINOIS COMMUNITY COLLEGE BOARD

NOTICE OF PROPOSED RULES

- 1) Heading of the Part: Access to Records of the Illinois Community College Board
- 2) Code Citation: 2 Ill. Adm. Code 5176
- 3)

<u>Section Numbers:</u>	<u>Proposed Actions:</u>
5176.100	New Section
5176.105	New Section
5176.200	New Section
5176.205	New Section
5176.210	New Section
5176.300	New Section
5176.305	New Section
5176.310	New Section
5176.315	New Section
5176.400	New Section
5176.405	New Section
5176.410	New Section
5176.415	New Section
5176.420	New Section
5176.425	New Section
5176.430	New Section
5176.435	New Section
5176.500	New Section
5176.505	New Section
5176.510	New Section
5176.APPENDIX A	New Section
- 4) Statutory Authority: Implementing and authorized by the Freedom of Information Act [5 ILCS 140]
- 5) A Complete Description of the Subjects and Issues Involved: This new Part is written to allow the Illinois Community College Board to operate in compliance with the Illinois Freedom of Information Act. The new Part replaces rules that are outdated due to legislative changes in the Illinois Freedom of Information Act.
- 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

ILLINOIS COMMUNITY COLLEGE BOARD

NOTICE OF PROPOSED RULES

- 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 will not require a local government to establish, expand or modify its activities in such a way as to necessitate additional expenditures from local revenues.
- 12) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Comments on the proposed rulemaking may be submitted in writing for a period of 45 days following publication of this Notice to:

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- 13) Initial Regulatory Flexibility Analysis:
- A) Types of small businesses, small municipalities and not-for-profit corporations affected: None
- B) Reporting, bookkeeping or other procedures required for compliance: None
- C) Types of professional skills necessary for compliance: None
- 14) Regulatory Agenda on which this rulemaking was summarized: None

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

ILLINOIS COMMUNITY COLLEGE BOARD

NOTICE OF PROPOSED RULES

TITLE 2: GOVERNMENTAL ORGANIZATION
SUBTITLE F: EDUCATIONAL AGENCIES
CHAPTER VIII: ILLINOIS COMMUNITY COLLEGE BOARD

PART 5176

ACCESS TO RECORDS OF THE ILLINOIS COMMUNITY COLLEGE BOARD

SUBPART A: INTRODUCTION

Section	
5176.100	Summary and Purpose
5176.105	Definitions

SUBPART B: CLASSIFICATION OF RECORDS

Section	
5176.200	Records that Will Be Disclosed
5176.205	Records that Will Be Withheld from Disclosure
5176.210	Statutory Exemptions

SUBPART C: PROCEDURES FOR REQUESTING
RECORDS FROM THE BOARD

Section	
5176.300	Submittal of Requests for Records
5176.305	Information To Be Provided in Requests for Records
5176.310	Requests for Records for Commercial Purposes
5176.315	Records Maintained Online

SUBPART D: BOARD RESPONSE TO REQUESTS FOR RECORDS

Section	
5176.400	Timeline for Board Response
5176.405	Requests for Records that the Board Considers Unduly Burdensome
5176.410	Recurrent Requesters
5176.415	Requests for Records that Require Electronic Retrieval
5176.420	Denials of Requests for Records
5176.425	Requests for Review of Denials – Public Access Counselor
5176.430	Circuit Court Review

ILLINOIS COMMUNITY COLLEGE BOARD

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5176.435 Administrative Review

SUBPART E: PROCEDURES FOR PROVIDING RECORDS TO REQUESTERS

Section

5176.500 Inspection and Copying of Records
5176.505 Fees for Records
5176.510 Reduction and Waiver of Fees

5176.APPENDIX A Fee Schedule for Duplication and Certification of Records

AUTHORITY: Implementing and authorized by Section 3(h) of the Freedom of Information Act [5 ILCS 140/3(h)] and Section 5-15 of the Illinois Administrative Procedure Act [5 ILCS 100/5-15].

SOURCE: Adopted at 8 Ill. Reg. 15572, effective August 15, 1984; amended at 14 Ill. Reg. 14387, effective August 27, 1990; former Part repealed at 41 Ill. Reg. _____, and new Part adopted at 41 Ill. Reg. _____, effective _____.

SUBPART A: INTRODUCTION

Section 5176.100 Summary and Purpose

- a) This Part states the policy of the Illinois Community College Board (Board) for making its records available for reasonable public inspection while, at the same time, protecting legitimate interests in confidentiality.
- b) This Part:
 - 1) Establishes the following classifications for records in the Board's possession:
 - A) Records that shall be disclosed; and
 - B) Records that shall be withheld from disclosure;
 - 2) Contains the procedures by which requesters may obtain records in the Board's possession; and

ILLINOIS COMMUNITY COLLEGE BOARD

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- 3) Contains the procedures for claiming and determining that records submitted to the Board are exempt from disclosure.

Section 5176.105 Definitions

Terms not defined in this Section shall have the same meaning as in the Freedom of Information Act [5 ILCS 140]. The following definitions are applicable for purposes of this Part:

"Act" means Public Community College Act [110 ILCS 805].

"Board" means the Illinois Community College Board as established by the Act.

"Commercial purpose" means the use of any part of a record or records, or information derived from records, in any form for sale, resale, or solicitation or advertisement for sales or services. For purposes of this definition, requests made by news media and non-profit, scientific, or academic organizations shall not be considered to be made for a "commercial purpose" when the principal purpose of the request is:

to access and disseminate information concerning news and current or passing events;

for articles or opinion or features of interest to the public; or

for the purpose of academic, scientific, or public research or education.
(Section 2(c-10) of FOIA)

"Copying" means the reproduction of any record by means of any photographic, electronic, mechanical, or other process, device or means now known or hereafter developed and available to the Board. (Section 2(d) of FOIA)

"Executive Director" means the executive officer of the Board.

"FOIA" means the Freedom of Information Act [5 ILCS 140].

"Freedom of Information Officer" or "FOI Officer" means an individual or individuals responsible for receiving and responding to requests for public records.

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"News media" means a newspaper or other periodical issued at regular intervals, news service in paper or electronic form, radio station, television station, television network, community antenna television service, or person or corporation engaged in making news reels or other motion picture news for public showing. (Section 2(f) of FOIA)

"Person" means any individual, corporation, partnership, firm, organization or association, acting individually or as a group. (Section 2(b) of FOIA)

"Private information" means unique identifiers, including a person's Social Security number, driver's license number, employee identification number, biometric identifiers, personal financial information, passwords or other access codes, medical records, home or personal telephone numbers, and personal email addresses. Private information also includes home address and personal license plates, except as otherwise provided by law or when compiled without possibility of attribution to any person. (Section 2(c-5) of FOIA)

"Public Access Counselor" means an individual appointed to that office by the Attorney General under Section 7 of the Attorney General Act [15 ILCS 205].

"Public body" means all legislative, executive, administrative, or advisory bodies of the State, State universities and colleges, counties, townships, cities, villages, incorporated towns, school districts and all other municipal corporations, boards, bureaus, committees or commissions of this State, any subsidiary bodies of any of the foregoing, including but not limited to committees and subcommittees thereof, and a School Finance Authority created under Article 1E of the School Code [105 ILCS 5]. (Section 2(a) of FOIA)

"Records" means all records, reports, forms, writings, letters, memoranda, books, papers, maps, photographs, microfilms, cards, tapes, recordings, electronic data processing records, electronic communications, recorded information and all other documentary materials pertaining to the transaction of public business, regardless of physical form or characteristics, having been prepared by or for, or having been or being used by, received by, in the possession of or under the control of the Board. (Section 2(c) of FOIA)

"Recurrent requester" means a person that, in the 12 months immediately preceding the request, has submitted to the same public body a minimum of 50 requests for records, a minimum of 15 requests for records within a 30-day

ILLINOIS COMMUNITY COLLEGE BOARD

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period, or a minimum of 7 requests for records within a 7 day period. For the purposes of this definition, requests made by news media and non-profit, scientific, or academic organizations shall not be considered in calculating the number of requests made in the time periods, in this definition when the principal purpose of the requests is to access and disseminate information concerning news and current or passing events, for articles of opinion or features of interest to the public, or for the purpose of academic, scientific, or public research or education. For the purposes of this definition, "request" means a written document (or oral request, if the public body chooses to honor oral requests) that is submitted to a public body via personal delivery, mail, telefax, electronic mail, or other means available to the public body and that identifies the particular public record the requester seeks. One request may identify multiple records to be inspected or copied. (Section 2(g) of FOIA)

"Requester" is any person who has submitted to the Board a written request, electronically or on paper, for records.

"Unwarranted invasion of personal privacy" means the disclosure of information that is highly personal or objectionable to a reasonable person and in which the subject's right to privacy outweighs any legitimate public interest in obtaining the information. (Section 7(1)(c) of FOIA)

SUBPART B: CLASSIFICATION OF RECORDS

Section 5176.200 Records that Will Be Disclosed

Upon request meeting the requirements of this Part, the Board shall disclose to the requester all records requested except that it shall not disclose certain records as provided in Section 5176.205 or 5176.210. Records covered under this Section shall include, but are not limited to:

- a) *Records of funds. All records relating to the obligation, receipt and use of public funds of the Board are records subject to inspection and copying by the public. (Section 2.5 of FOIA)*
- b) *Payrolls. Certified payroll records submitted to the Board under Section 5(a)(2) of the Prevailing Wage Act [820 ILCS 130] are records subject to inspection and copying in accordance with the provisions of FOIA; except that contractors' and employees' addresses, telephone numbers, and Social Security numbers will be redacted by the Board prior to disclosure. (Section 2.10 of FOIA)*

ILLINOIS COMMUNITY COLLEGE BOARD

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- c) *Criminal history records. The following documents maintained by the Board pertaining to criminal history record information are records subject to inspection and copying by the public pursuant to FOIA:*
- 1) *Court records that are public;*
 - 2) *Records that are otherwise available under State or local law; and*
 - 3) *Records in which the requesting party is the individual identified, except as provided under Section 7(1)(d)(vi) of FOIA. (Section 2.15(b) of FOIA)*
- d) *Settlement agreements. All settlement agreements entered into by or on behalf of the Board are records subject to inspection and copying by the public, provided that information exempt from disclosure under Section 5176.205 or 5176.210 may be redacted. (Section 2.20 of FOIA)*

Section 5176.205 Records that Will Be Withheld from Disclosure

- a) For exemptions from FOIA that are stated in FOIA, see Section 7(1) of the Act.
- b) *A record that is not in the possession of the Board but is in the possession of a party with whom the Board has contracted to perform a governmental function on behalf of the Board, and that directly relates to the governmental function and is not otherwise exempt under FOIA, shall be considered a record of the Board for purposes of Subpart C. (Section 7(2) of FOIA)*

Section 5176.210 Statutory Exemptions

For exemptions from FOIA that are stated in other statutes, see Section 7.5 of the Act.

**SUBPART C: PROCEDURES FOR REQUESTING
RECORDS FROM THE BOARD****Section 5176.300 Submittal of Requests for Records**

- a) Any request for public records should be submitted in writing to the FOI Officer at the Board.

ILLINOIS COMMUNITY COLLEGE BOARD

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- b) The Board has one FOI Officer located in the Springfield office.
- c) Contact information for each FOI Officer can be found online at www.Illinois.gov/Pages/FOIAContacts.
- d) FOIA requests may be submitted via mail, e-mail, fax, or hand delivery. Requests should be mailed or hand delivered to:

Illinois Community College Board
401 E. Capitol Avenue
Springfield IL 62701-1711
Attn: FOI Officer

- e) E-mailed requests should be sent to iccbfoia@iccb.state.il.us, contain the request in the body of the e-mail, and indicate in the subject line of the e-mail that it contains a FOIA request. Faxed FOIA requests should be faxed to 217/524-4981, Attn: FOI Officer.

Section 5176.305 Information To Be Provided in Requests for Records

A request for records should include:

- a) The complete name, mailing address and telephone number of the requester;
- b) As specific a description as possible of the records sought. Requests that the Board considers unduly burdensome or categorical may be denied. (See Section 3(g) of FOIA and Section 5176.405 of this Part.);
- c) A statement as to the requested medium and format for the Board to use in providing the records sought: for example, paper, specific types of digital or magnetic media, or videotape;
- d) A statement as to the requested manner for the Board to use in providing the records sought: for example, inspection at Board headquarters or providing paper or electronic copies;
- e) A statement as to whether the requester needs certified copies of all or any portion of the records, including reference to the specific documents that require certification; and

ILLINOIS COMMUNITY COLLEGE BOARD

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- f) A statement as to whether the request is for a commercial purpose.

Section 5176.310 Requests for Records for Commercial Purposes

- a) *It is a violation of FOIA for a person to knowingly obtain a record for a commercial purpose without disclosing that it is for a commercial purpose if requested to do so by the Board. (Section 3.1(c) of FOIA)*
- b) *The Board shall respond to a request for records to be used for a commercial purpose within 21 working days after receipt. The response shall:*
- 1) *Provide to the requester an estimate of the time required by the Board to provide the records requested and an estimate of the fees to be charged, which the Board may require the person to pay in full before copying the requested documents;*
 - 2) *Deny the request pursuant to one or more of the exemptions set out in Section 5176.205 or 5176.210;*
 - 3) *Notify the requester that the request is unduly burdensome and extend an opportunity to the requester to attempt to reduce the request to manageable proportions; or*
 - 4) *Provide the records requested. (Section 3.1(a) of FOIA)*
- c) *Unless the records are exempt from disclosure, the Board shall comply with a request within a reasonable period considering the size and complexity of the request, and giving priority to records requested for non-commercial purposes. (Section 3.1(b) of FOIA)*

Section 5176.315 Records Maintained Online

- a) *Notwithstanding any provision of FOIA to the contrary, a public body is not required to copy a public record that is published on the public body's website. The public body shall notify the requester that the public record is available online and direct the requester to the website where the record can be reasonably accessed.*

ILLINOIS COMMUNITY COLLEGE BOARD

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- b) *If the person requesting the public record is unable to reasonably access the record online after being directed to the website pursuant to subsection (a), the requester may resubmit his or her request for the record stating his or her inability to reasonably access the record online, and the public body shall make the requested record available for inspection or copying as provided in Section 3 of FOIA. (Section 8.5 of FOIA)*

SUBPART D: BOARD RESPONSE TO REQUESTS FOR RECORDS

Section 5176.400 Timeline for Board Response

- a) *Except as stated in subsection (b) or (c), the Board will respond to any written request for records within 5 business days after its receipt of the request. Failure to comply with a written request, extend the time for response, or deny a request within 5 business days after its receipt shall be considered a denial of the request. If the Board fails to respond to a request within the requisite periods in this subsection (a) but thereafter provides the requester with copies of the requested records, it will not impose a fee for those copies. If the Board fails to respond to a request received, it will not treat the request as unduly burdensome as provided under Section 5176.405. (Section 3(d) of FOIA) A written request from the Board to provide additional information shall be considered a response to the FOIA request.*
- b) *The time limits prescribed in subsection (a) may be extended for not more than 5 business days from the original due date for any of the following reasons:*
- 1) *The requested records are stored in whole or in part at locations other than the office having charge of the requested records;*
 - 2) *The request requires the collection of a substantial number of specified records;*
 - 3) *The request is couched in categorical terms and requires an extensive search for the records responsive to it;*
 - 4) *The requested records have not been located in the course of routine search and additional efforts are being made to locate them;*

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- 5) *The requested records require examination and evaluation by personnel having the necessary competence and discretion to determine if they are exempt from disclosure under Section 7 or 7.5 of FOIA or should be revealed only with appropriate deletions;*
 - 6) *The request for records cannot be complied with by the Board within the time limits prescribed by subsection (a) without unduly burdening or interfering with the operations of the Board; or*
 - 7) *There is a need for consultation, which shall be conducted with all practicable speed, with another public body or among two or more components of a public body having a substantial interest in the determination or in the subject matter of the request. (Section 3(e) of FOIA)*
- c) *The person making a request and the Board may agree in writing to extend the time for compliance for a period to be determined by the parties. If the requester and the Board agree to extend the period for compliance, a failure by the Board to comply with any previous deadlines shall not be treated as a denial of the request for the records. (Section 3(e) of FOIA)*
 - d) *When additional time is required for any of the reasons set forth in subsection (b), the Board will, within 5 business days after receipt of the request, notify the person making the request of the reasons for the extension and the date by which the response will be forthcoming. Failure to respond within the time permitted for extension shall be considered a denial of the request. If the Board fails to respond to a request within the time permitted for extension but thereafter provides the requester with copies of the requested public records, it may not impose a fee for those copies. If the Board issues an extension and subsequently fails to respond to the request, it will not treat the request as unduly burdensome under Section 5176.405. (Section 3(f) of FOIA)*

Section 5176.405 Requests for Records that the Board Considers Unduly Burdensome

- a) *The Board will fulfill requests calling for all records falling within a category unless compliance with the request would unduly burden the Board, there is no way to narrow the request, and the burden on the Board outweighs the public interest in the information. Before invoking this exemption, the Board will extend to the requester an opportunity to confer with it in an attempt to reduce the*

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request to manageable proportions. (Section 3(g) of FOIA) The amended request must be in writing.

- b) If the Board determines that a request is unduly burdensome, *it shall do so in writing, specifying the reasons why it would be unduly burdensome and the extent to which compliance will so burden the operations of the Board.* The response shall be treated as a denial of the request for information. (Section 3(g) of FOIA)
- c) *Repeated requests from the same person for records that are unchanged or identical to records previously provided or properly denied under this Part shall be deemed unduly burdensome.* (Section 3(g) of FOIA)

Section 5176.410 Recurrent Requesters

- a) *Notwithstanding any provision of this Part to the contrary, the Board will respond to a request from a recurrent requester, as defined in Section 5176.105, within 21 business days after receipt. The response shall:*
 - 1) *provide to the requester an estimate of the time required by the Board to provide the records requested and an estimate of the fees to be charged, which the Board may require the person to pay in full before copying the requested documents;*
 - 2) *deny the request pursuant to one or more of the exemptions set out in this Part;*
 - 3) *notify the requester that the request is unduly burdensome and extend an opportunity to the requester to attempt to reduce the request to manageable proportions; or*
 - 4) *provide the records requested.*
- b) *Within 5 business days after receiving a request from a recurrent requester, the Board will notify the requester that the Board is treating the request as a recurrent request, of the reasons why the Board is treating the request as a recurrent request, and that the Board will send an initial response within 21 business days after receipt in accordance with subsection (a). The Board will also notify the requester of the proposed responses that can be asserted pursuant to subsection (a).*

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- c) *Unless the records are exempt from disclosure, the Board will comply with a request within a reasonable period considering the size and complexity of the request.* (Section 3.2 of FOIA)

Section 5176.415 Requests for Records that Require Electronic Retrieval

- a) A request for records that requires electronic retrieval will be treated the same as any other request for records, with the same timeline and extensions as allowed for other records.
- b) The Board will retrieve and provide electronic records only in a format and medium that is available to the Board.

Section 5176.420 Denials of Requests for Records

- a) The Board will deny requests for records when:
- 1) Compliance with the request would unduly burden the Board, as determined pursuant to Section 5176.405, and the requester has not reduced the request to manageable proportions; or
 - 2) The records are exempt from disclosure pursuant to Section 7 or 7.5 of FOIA or Section 5176.205 or 5176.210 of this Part.
- b) The denial of a request for records must be in writing.
- 1) The notification shall include a description of the records denied; *the reason for the denial, including a detailed factual basis for the application of any exemption claimed; and the names and titles or positions of each person responsible for the denial* (Section 9(a) of FOIA);
 - 2) *Each notice of denial shall also inform the person of the right to review by the Public Access Counselor and provide the address and phone number for the Public Access Counselor* (Section 9(a) of FOIA); and
 - 3) *When a request for records is denied on the grounds that the records are exempt under Section 7 or 7.5 of FOIA, the notice of denial shall specify the exemption claimed to authorize the denial and the specific reasons for*

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the denial, including a detailed factual basis and a citation to the supporting legal authority (Section 9(b) of FOIA).

- c) A requester may treat the Board's failure to respond to a request for records within 5 business days after receipt of the written request as a denial for purposes of the right to review by the Public Access Counselor.
- d) If the Board has given written notice pursuant to Section 5176.400(d), failure to respond to a written request within the time permitted for extension may be treated as a denial for purposes of the right to review by the Public Access Counselor.
- e) *Any person making a request for records shall be deemed to have exhausted his or her administrative remedies with respect to that request if the Board fails to act within the time periods provided in Section 5176.400.* (Section 9(c) of FOIA)

Section 5176.425 Requests for Review of Denials – Public Access Counselor

- a) *A person whose request to inspect or copy a record is denied by the Board may file a request for review with the Public Access Counselor established in the Office of the Attorney General not later than 60 days after the date of the final denial. The request for review shall be in writing, be signed by the requester, and include a copy of the request for access to records and any response from the Board.* (Section 9.5(a) of FOIA)
- b) *A person whose request to inspect or copy a record is made for a commercial purpose may not file a request for review with the Public Access Counselor. A person whose request to inspect or copy a record was treated by the Board as a request for a commercial purpose may file a request for review with the Public Access Counselor for the limited purpose of reviewing whether the Board properly determined that the request was made for a commercial purpose.* (Section 9.5(b) of FOIA)
- c) *Within 7 business days after the Board receives a request for review from the Public Access Counselor, the Board shall provide copies of records requested and shall otherwise fully cooperate with the Public Access Counselor.* (Section 9.5(c) of FOIA)

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- d) *Within 7 business days after it receives a copy of a request for review and request for production of records from the Public Access Counselor, the Board may, but is not required to, answer the allegations of the request for review. The answer may take the form of a letter, brief, or memorandum. The Public Access Counselor shall forward a copy of the answer to the person submitting the request for review, with any alleged confidential information to which the request pertains redacted from the copy. (Section 9.5(d) of FOIA)*
- e) *The requester may, but is not required to, respond in writing to the answer within 7 business days and shall provide a copy of the response to the Board. (Section 9.5(d) of FOIA)*
- f) *In addition to the request for review, and the answer and response to the request, if any, a requester or the Board may furnish affidavits or records concerning any matter germane to the review. (Section 9.5(e) of FOIA)*
- g) *A binding opinion from the Attorney General shall be binding upon both the requester and the Board, subject to administrative review under Section 5176.435. (Section 9.5(f) of FOIA)*
- h) *If the Attorney General decides to exercise his or her discretion to resolve a request for review by mediation or by a means other than issuance of a binding opinion, the decision not to issue a binding opinion shall not be reviewable. (Section 9.5(f) of FOIA)*
- i) *Upon receipt of a binding opinion concluding that a violation of FOIA has occurred, the Board will either take necessary action immediately to comply with the directive of the opinion or shall initiate administrative review under Section 5176.435. If the opinion concludes that no violation of FOIA has occurred, the requester may initiate administrative review under Section 5176.435. (Section 9.5(f) of FOIA)*
- j) *If the Board discloses records in accordance with an opinion of the Attorney General, the Board is immune from all liabilities by reason thereof and shall not be liable for penalties under FOIA. (Section 9.5(f) of FOIA)*
- k) *If the requester files suit under Section 5176.430 with respect to the same denial that is the subject of a pending request for review, the requester shall notify the Public Access Counselor. (Section 9.5(g) of FOIA)*

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- 1) *The Attorney General may also issue advisory opinions to the Board regarding compliance with FOIA. A review may be initiated upon receipt of a written request from the Executive Director of the Board or the Board's Chief Legal Counsel, which shall contain sufficient accurate facts from which a determination can be made. The Public Access Counselor may request additional information from the Board in order to assist in the review. If the Board relies in good faith on an advisory opinion of the Attorney General in responding to a request, the Board is not liable for penalties under FOIA, so long as the facts upon which the opinion is based have been fully and fairly disclosed to the Public Access Counselor. (Section 9.5(h) of FOIA)*

Section 5176.430 Circuit Court Review

A requester also has the right to file suit for injunctive or declaratory relief in the Circuit Court for Sangamon County or for the county in which the requester resides, in accordance with the procedures set forth in Section 11 of FOIA.

Section 5176.435 Administrative Review

A binding opinion issued by the Attorney General shall be considered a final decision of an administrative agency, for purposes of administrative review under the Administrative Review Law [735 ILCS 5/Art. III]. An action for administrative review of a binding opinion of the Attorney General shall be commenced in Cook County or Sangamon County. An advisory opinion issued to the Board shall not be considered a final decision of the Attorney General for purposes of this Section. (Section 11.5 of FOIA)

SUBPART E: PROCEDURES FOR PROVIDING RECORDS TO REQUESTERS

Section 5176.500 Inspection and Copying of Records

- a) The Board may make available records for personal inspection at the Board's headquarters office located at 401 E. Capitol Avenue, Springfield, or at another location agreed to by both the Board and the requester. No original record shall be removed from State-controlled premises except under constant supervision of the agency responsible for maintaining the record. The Board may provide records in duplicate forms, including, but not limited to, paper copies, data processing printouts, videotape, microfilm, audio tape, reel to reel microfilm, photographs, computer disks and diazo.

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- b) *When a person requests a copy of a record maintained in an electronic format, the Board shall furnish it in the electronic format specified by the requester, if feasible. If it is not feasible to furnish the records in the specified electronic format, then the Board shall furnish it in the format in which it is maintained by the Board, or in paper format at the option of the requester. (Section 6(a) of FOIA)*
- c) A requester may inspect records by appointment only, scheduled subject to space availability. The Board will schedule inspection appointments to take place during normal business hours, which are 8:30 a.m. to 5:00 p.m. Monday through Friday, exclusive of State holidays. If the requester must cancel the viewing appointment, the requester shall so inform the Board as soon as possible before the appointment.
- d) In order to maintain routine Board operations, the requester may be asked to leave the inspection area for a specified period of time.
- e) The requester will have access only to the designated inspection area.
- f) Requesters shall not be permitted to take briefcases, folders or similar materials into the room where the inspection takes place. A Board employee may be present during the inspection.
- g) The requester shall segregate and identify the documents to be copied during the course of the inspection.

Section 5176.505 Fees for Records

- a) In accordance with Section 5176.510, unless a fee is otherwise fixed by statute, the Board will provide copies of records and certifications of records in accordance with the fee schedule set forth in Appendix A.
- b) *In calculating its actual cost for reproducing records or for the use of the equipment of the Board to reproduce records, the Board will not include the costs of any search for and review of the records or other personnel costs associated with reproducing the records. (Section 6(b) of FOIA)*

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- c) In order to expedite the copying of records that the Board cannot copy, due to the volume of the request or the operational needs of the Board, in the timelines established in Section 5176.400, the requester may provide, at the requester's expense, the copy machine, all necessary materials, and the labor to copy the public records at the Board headquarters in Section 5176.500, or at another location agreed to by both the Board and the requester. No original record shall be removed from State-controlled premises except under constant supervision of the agency responsible for maintaining the record.
- d) Copies of records will be provided to the requester only upon payment of any fees due. *The Board may charge the requester for the actual cost of purchasing the recording medium, whether disc, diskette, tape, or other medium, but the Board will not charge the requester for the costs of any search for and review of the records or other personnel costs associated with reproducing the records.* (Section 6(a) of FOIA) Payment must be by check or money order sent to the Board, payable to "Treasurer, State of Illinois".
- e) If a contractor is used to inspect or copy records, the following procedures shall apply:
- 1) The requester, rather than the Board, must contract with the contractor;
 - 2) The requester is responsible for all fees charged by the contractor;
 - 3) The requester must notify the Board of the contractor to be used prior to the scheduled on-site inspection or copying;
 - 4) Only Board personnel may provide records to the contractor;
 - 5) The Board must have verification that the requester has paid the Board, if payment is due, for the copying of the records before providing the records to the contractor; and
 - 6) The requester must provide to the Board the contractor's written agreement to hold the records secure and to copy the records only for the purpose stated by the requester.
- f) *The Board may charge up to \$10 for each hour spent by personnel in searching for and retrieving a requested record. No fees shall be charged for the first 8*

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hours spent by personnel in searching for or retrieving a requested record. The Board may charge the actual cost of retrieving and transporting public records from an off-site storage facility when the public records are maintained by a third-party storage company under contract with the Board. If the Board imposes a fee pursuant to this subsection (f), it must provide the requester with an accounting of all fees, costs, and personnel hours in connection with the request for public records. The provisions of this subsection (f) apply only to commercial requests. (Section 6(f) of FOIA)

Section 5176.510 Reduction and Waiver of Fees

- a) *Fees may be reduced or waived by the Board if the requester states the specific purpose for the request and indicates that a waiver or reduction of the fee is in the public interest. In making this determination, the Board will consider the following:*
 - 1) *Whether the principal purpose of the request is to disseminate information regarding the health, safety, welfare or legal rights of the general public; and*
 - 2) *Whether the principal purpose of the request is personal or commercial benefit. For purposes of this subsection (a), "commercial benefit" shall not apply to requests made by news media when the principal purpose of the request is to access and disseminate information regarding the health, safety, welfare or legal rights of the general public. (Section 6(c) of FOIA)*
- b) *In setting the amount of the waiver or reduction, the Board will take into consideration the amount of materials requested and the cost of copying them. (Section 6(c) of FOIA)*
- c) *The Board will provide copies of records without charge to federal, State and municipal agencies, Constitutional officers and members of the General Assembly, and not-for-profit organizations providing evidence of good standing with the Secretary of State's Office.*
- d) *Except to the extent that the General Assembly expressly provides, statutory fees applicable to copies of records when furnished in a paper format will not be*

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applicable to those records when furnished to a requester in an electronic format.
(Section 6(a) of FOIA)

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Section 5176.APPENDIX A Fee Schedule for Duplication and Certification of Records

TYPE OF DUPLICATION	FEE (PER COPY)
Paper copy from original, up to and including 50 copies of black and white, letter or legal sized copies	No charge
Paper copy from original, in excess of 50 copies of black and white, letter or legal sized copies	\$.15/page
Paper copy from microfilm original	\$.15/page
Microfilm diazo from original	\$.50/diazo
VHS video copy of tape	Actual cost of the reproduction
Audio tape copy of tape	Actual cost of the reproduction
CD ROM disk	Actual cost of the reproduction
Photograph from negative	Actual cost of the reproduction
Blueprints/oversized prints	Actual cost of the reproduction
Paper copies in color or in a size other than letter or legal	Actual cost of the reproduction
Certification fee	\$1.00/record

NOTE: Expense for delivery other than by First Class U.S. Mail must be borne by the requester.

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- 1) Heading of the Part: Illinois Architecture Practice Act of 1989
- 2) Code Citation: 68 Ill. Adm. Code 1150
- 3)

<u>Section Numbers:</u>	<u>Proposed Actions:</u>
1150.10	Amendment
1150.30	Amendment
1150.40	Amendment
1150.50	Amendment
1150.60	Amendment
1150.65	Amendment
1150.70	Amendment
1150.75	Amendment
1150.100	Amendment
1150.105	Amendment
1150.APPENDIX B	Amendment
1150.APPENDIX C	Amendment
- 4) Statutory Authority: Implementing the Illinois Architecture Practice Act of 1989 [225 ILCS 305] and authorized by Section 2105-15(7) of the Civil Administrative Code of Illinois [20 ILCS 2105/2105-15(7)]
- 5) A Complete Description of the Subjects and Issues Involved: While the last change of the architect rules were adopted in December 2015, already there are massive changes that need to be completed due to the change in the Act (eliminating the pre-professional degree and only accepting the professional degree), as well as changes in National Council of Architectural Registration Boards (NCARB) in both the Intern Development Program (IDP) and Architecture Registration Exams (ARE).

This is the first set for this year. As of July there will be another change by NCARB that will require another set of amendments, and then there will be another change later this year when ARE 5.0 rolls out (possibly in November) and then more changes in January (IDP). Essentially, every 6 months IDFPR needs to update the rules to keep current.

This is the biggest change as it removes curriculum approval from the current rules and places it in the historical Section of the rules (where it will be referenced for endorsement where the individual met Illinois requirements at the time of original licensure). As an addendum, the Secretary signed a Mutual Agreement through NCARB last year

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recognizing the CACB and licensure in Canada as long as the individual has an NCARB Certificate Record. It is an alternate approach to licensure.

- 6) Published studies or reports, and sources of underlying data, used to compose this rulemaking: None
- 7) Will this rulemaking replace any emergency rulemaking currently in effect? No
- 8) Does this rulemaking contain an automatic repeal date? No
- 9) Does this rulemaking contain incorporation by reference? No
- 10) Are there any other rulemakings pending on this Part? No
- 11) Statement of Statewide Policy Objective: This rulemaking has no impact on local governments.
- 12) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Persons who wish to comment on this proposed rulemaking may submit written comments no later than 45 days after the publication of this Notice.

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

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

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

- 13) Initial Regulatory Flexibility Analysis:
 - A) Types of small businesses, small municipalities and not-for-profit corporations affected: Those employing licensed architects.
 - B) Reporting, bookkeeping or other procedures required for compliance: None

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- C) Types of professional skills necessary for compliance: Architectural education and training is required for licensure.
- 14) Regulatory Agenda on which this rulemaking was summarized: This rule was not included on either of the 2 most recent agendas but should have been included on the January 2016 Agenda. As the previous rules for this profession were still going through the rulemaking process as the January 2016 Agenda was being compiled, this set of rules was inadvertently not included.

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

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TITLE 68: PROFESSIONS AND OCCUPATIONS

CHAPTER VII: DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION
SUBCHAPTER b: PROFESSIONS AND OCCUPATIONS

PART 1150

ILLINOIS ARCHITECTURE PRACTICE ACT OF 1989

Section

1150.10	Education Requirements and Diversified Professional Training Requirements
1150.20	Category II – Education Requirements and Diversified Professional Training Requirements for Individuals Whose Education Was Initiated Prior to January 1, 1990 (Repealed)
1150.30	Application for Licensure by Examination/Acceptance of Examination
1150.40	Examination
1150.50	Approved Architecture Programs
1150.60	Licensure by Endorsement
1150.65	Inactive Status
1150.70	Restoration
1150.75	Fees
1150.80	Professional Design Firm
1150.85	Acts Constituting the Practice of Architecture Pursuant to Section 5 of the Act
1150.90	Standards of Professional Conduct
1150.95	Architecture Complaint Committee
1150.100	Renewals
1150.105	Continuing Education Requirements
1150.110	Granting Variances
1150.APPENDIX A	Categories of Diversified Professional Training (Repealed)
1150.APPENDIX B	Historical Summary of Minimum Requirements to Qualify for Examination for Licensure as an Architect in Illinois
1150.APPENDIX C	Historical Summary of Examination Requirements
1150.ILLUSTRATION A	Architect Seal Requirements

AUTHORITY: Implementing the Illinois Architecture Practice Act of 1989 [225 ILCS 305] and authorized by Section 2105-15(7) of the Civil Administrative Code of Illinois [20 ILCS 2105/2105-15(7)].

SOURCE: Rules and Regulations Promulgated for the Administration of the Illinois Architecture Act, effective May 29, 1975; amended May 12, 1977; codified at 5 Ill. Reg. 11019;

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emergency amendment at 6 Ill. Reg. 916, effective January 6, 1982, for a maximum of 150 days; amended at 6 Ill. Reg. 7448, effective June 15, 1982; amended at 7 Ill. Reg. 7658, effective June 15, 1983; amended at 9 Ill. Reg. 5691, effective April 16, 1985; amended at 11 Ill. Reg. 14077, effective August 5, 1987; transferred from Chapter I, 68 Ill. Adm. Code 150 (Department of Registration and Education) to Chapter VII, 68 Ill. Adm. Code 1150 (Department of Professional Regulation) pursuant to P.A. 85-225, effective January 1, 1988, at 12 Ill. Reg. 2933; amended at 16 Ill. Reg. 3143, effective February 14, 1992; amended at 17 Ill. Reg. 1554, effective January 25, 1993; amended at 18 Ill. Reg. 10736, effective June 27, 1994; amended at 19 Ill. Reg. 16066, effective November 17, 1995; amended at 20 Ill. Reg. 7873, effective May 30, 1996; amended at 21 Ill. Reg. 5928, effective April 24, 1997; amended at 22 Ill. Reg. 15324, effective August 10, 1998; amended at 24 Ill. Reg. 559, effective December 31, 1999; amended at 24 Ill. Reg. 13710, effective August 28, 2000; amended at 25 Ill. Reg. 1754, effective January 8, 2001; amended at 26 Ill. Reg. 4667, effective March 11, 2002; amended at 26 Ill. Reg. 16954, effective November 12, 2002; amended at 27 Ill. Reg. 15468, effective September 19, 2003; amended at 28 Ill. Reg. 14424, effective October 20, 2004; amended at 33 Ill. Reg. 11477, effective July 22, 2009; amended at 35 Ill. Reg. 11358, effective June 28, 2011; amended at 39 Ill. Reg. 15738, effective December 11, 2015; amended at 41 Ill. Reg. _____, effective _____.

Section 1150.10 Education Requirements and Diversified Professional Training Requirements

The education and diversified professional training required for licensure under the Illinois Architecture Practice Act of 1989 [225 ILCS 305] (the Act) are set forth in this Section. Applicants shall meet the requirements set forth in this Section.

- a) ~~Education Requirements~~
Applicants shall prove that they meet the following education requirements:
- ~~1)A)~~ Applicants with a professional degree from a program accredited by the National Architectural Accrediting Board (NAAB) or the Canadian Architectural Certification Board (CACB) not later than 2 years after termination of an applicant's enrollment, or with a professional degree in architecture from a Canadian university certified as accredited by CACB;
~~or:~~
 - ~~2)B)~~ Completion of the education requirements as specified in the National Council of Architectural Registration Boards (NCARB) Education Standard. This includes the requirement that applicants with a degree from a program not accredited by NAAB or CACB must obtain an

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Education Evaluation Services for Architects (EESA)-NCARB Evaluation Report prepared by ~~the Education Evaluation Services for Architects (EESA)~~, which is administered by NAAB. Applicants must establish an NCARB record in order to request an evaluation.

- 2) ~~Until January 1, 2016, applicants with a degree from a program not accredited by the NAAB or CACB shall have a pre-professional 4 year baccalaureate degree program in architecture that is accepted for direct entry into a professional degree program accredited by NAAB or CACB and is approved by the Board in accordance with Section 1150.50.~~

b) Diversified Professional Training Requirements

- 1) An applicant must complete the Architect Experience Program (AXP), formerly known as the Intern Development Program (IDP), of the National Council of Architectural Registration Boards (NCARB), 1801 K Street, NW, Suite 700K, Washington DC 20006-1310, as set forth in the NCARB ~~AXPIDP~~ Guidelines (~~2016~~~~2015~~, no later additions or amendments included). (A copy of these Guidelines is available from NCARB.)
- 2) To satisfy diversified professional training requirements, each applicant must acquire a minimum number of training hours in prescribed experience categories and tasks and in accordance with the~~based on the education~~ requirements set forth in the NCARB AXP Guidelines. An applicant who has satisfied the training requirements is expected to have been exposed to the comprehensive practice of architecture. Accordingly, each applicant must demonstrate that his or her training has been sufficiently diversified as to include exposure to each of the~~subsection (b)(3). Acceptable activities and conditions affecting training categories~~ are set forth in the ~~AXPIDP~~ Guidelines. (An applicant with the required number of training hours may nonetheless be denied approval of training if that training is not diversified.)
- 3) ~~Training hours shall be acquired in prescribed experience categories and areas and in accordance with the requirements set forth in the NCARB IDP Guidelines. The required number of training hours will vary according to the following educational requirements:~~

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- A) ~~Applicants who meet the educational requirements set forth in subsections (a)(1)(A) and (a)(1)(B) shall complete training hours pursuant to the NCARB IDP training requirements.~~
- B) ~~Until January 1, 2016, applicants with a pre-professional 4 year baccalaureate degree set forth in subsection (a)(2) shall complete 9360 core and elective training hours. Those training hours shall consist of twice the listed minimum number of core training hours required for each training category and area pursuant to the IDP training requirements (7480 core hours) plus an additional 1880 hours in any category or area.~~
- 4) ~~To satisfy the Illinois Diversified Professional Training requirements, an applicant must have satisfied the NCARB IDP training requirements established in the IDP Guidelines and subsection (b)(3)(A) or (B). An applicant who has satisfied the training requirements is expected to have been exposed to the comprehensive practice of architecture. Accordingly, each applicant must demonstrate that his or her training has been sufficiently diversified as to include exposure to each of the training areas set forth in the IDP Guidelines. (An applicant with the required number of training hours may nonetheless be denied approval of training if that training is not diversified.)~~
- 5) ~~Training experience settings are set forth in the NCARB IDP Guidelines and shall apply to all applicants.~~
- 3)6) Program Requirements
- A) A "licensed architect" is a person licensed to practice architecture in the jurisdiction in which he or she practices.
- B) A person practices as a "principal" by being:
- i) A licensed architect; and
- ii) The person in charge of the organization's architectural practice, either alone or with other licensed architects.
- C) A person who has completed the minimum education requirements

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~~indicated in subsection (b)(7)(A)(i)~~, is actively participating in the diversified professional training program, and maintains in good standing a training record as required by this Section, may use the title "architectural intern", but may not use the term "architect" and may not independently engage in the practice of architecture.

- c) All applicants shall utilize NCARB to collect, evaluate and certify all training data and records required for compliance with this Part.
- d) The verification of training shall be submitted to the Department of Financial and Professional Regulation-Division of Professional Regulation (Division) at the time of application.
- e) If the accuracy of any submitted documentation or the relevance or sufficiency of the training is questioned by the Division or the Architecture Licensing Board (the Board) because of discrepancies or conflicts in information, a need for additional information or clarification, the applicant will be requested to provide such information as is necessary.
- f) All applicants must submit an application for licensure within 12 months after passing the Architecture Registration Exams (ARE) and completion of the IDP.

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

Section 1150.30 Application for Licensure by Examination/Acceptance of Examination

An applicant for licensure as an architect shall file an application on forms supplied by the Division. The application shall include:

- a) Proof of successful completion of the examination set forth in Section 1150.40;
- b) Proof of having completed the necessary education and training, as required by Section 1150.10.
 - 1) The proof shall be in the form of official transcripts completed by the school, college or university attended, and certification of completion of the training requirements.
 - 2) Applicants who received their education in a foreign country shall have

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the education comprehensively evaluated, at their expense. Applicants shall obtain an EESA-NCARB Evaluation Report prepared by ~~the Education Evaluation Services for Architects (EESA)~~, which is administered by NAAB. Applicants must establish an NCARB record in order to request an evaluation. The Board will review all transcripts and the comprehensive evaluation submitted to the Division to determine if the education meets the requirements set forth in Sections 1150.10 and 1150.20;

- e) ~~Certification from the jurisdiction of original licensure and certification from the jurisdiction of predominant active practice including the following, if the applicant has ever been licensed in another jurisdiction:~~
- 1) ~~The date of issuance of the applicant's license and the current status of the license;~~
 - 2) ~~Whether the records of the licensing authority contain any record of disciplinary action taken against the applicant;~~
- c)d) A signed and dated affidavit attesting the applicant has read and understands the Act and this Part;
- d)e) The required fee; and
- e)f) Proof of passage of the Test of English as a Foreign Language Internet Based Test (TOEFL-iBT) with a minimum score of 26 on the speaking module and a total minimum integrated score of 88 or the Test of English as a Foreign Language (TOEFL) with a minimum score of 550 or 213 for the computer-based test and the Test of Spoken English (TSE) with a minimum score of 50, for applicants who apply after January 1, 1997, who graduated from an architectural program outside the United States or its territories and whose first language is not English. In order to determine applicants whose first language is English, the applicant shall submit verification from the school that the architectural program from which the applicant graduated was taught in English. However, any applicant who subsequently earned an advanced degree from an accredited educational institution in the United States or its territories shall not be subject to this requirement.

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

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Section 1150.40 Examination

- a) The examination for licensure as an architect is a computer based examination prepared by ~~the National Council of Architectural Registration Boards (NCARB).~~
↳ An applicant who has an NAAB accredited professional degree may begin taking the NCARB ~~Architecture Registration Exams (ARE)~~ after successful completion of the professional degree and with concurrent enrollment in the AXPIDP.
- 2) ~~An applicant who has a pre-professional degree will not be approved to take the ARE prior to completion of the required Training Hours of the IDP as stated in Section 1150.10(b)(3)(B).~~
- b) ~~The examination shall consist of the following divisions for ARE 3.1:~~
- 1) ~~Pre-Design;~~
 - 2) ~~Site Planning;~~
 - 3) ~~Building Planning;~~
 - 4) ~~Building Technology;~~
 - 5) ~~General Structures;~~
 - 6) ~~Lateral Forces;~~
 - 7) ~~Mechanical and Electrical Systems;~~
 - 8) ~~Building Design/Materials and Methods; and~~
 - 9) ~~Construction Documents and Services.~~
- b)e) As of July 1, 2008, the ARE 4.0 examination shall consist of the following divisions:
- 1) Programming Planning and Practice;

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- 2) Site Planning and Design;
 - 3) Building Planning and Construction Systems;
 - 4) Schematic Design;
 - 5) Structural Systems;
 - 6) Building Systems; and
 - 7) Construction Documents and Services.
- c) As of November 1, 2016, the ARE 5.0 examination shall consist of the following divisions:
- 1) Practice management;
 - 2) Project management;
 - 3) Programming and analysis;
 - 4) Project planning and design;
 - 5) Project development and documentation; and
 - 6) Construction and evaluation
- d) The ARE 4.0 will continue being offered through June 30, 2018, when it will be discontinued. Any applicant who has started in ARE 4.0, but not completed it, will be required to transfer to ARE 5.0 and complete any examinations that do not transfer over as completed.
- e)d) All divisions are graded with a score of pass or fail. To pass the examination, the applicant must achieve a passing grade on each division of the examination.
- f)e) An applicant failing a division may repeat that division test ~~6 months~~ after his or her unsuccessful attempt, pursuant to NCARB requirements.
- g)f) All applicants who are in the process of taking the examination formerly

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administered by the Division shall receive credit for previous NCARB examinations passed with transfer credit to the ARE divisions in Appendix C.

- ~~h)g)~~ If an applicant fails to pass an examination for licensure under the Act within 3 years after filing an application, the application shall expire and be denied. The applicant may, however, make a new application for examination accompanied by the required fee, and must furnish proof of meeting the qualifications for examination in effect at the time of new application.
- ~~i)h)~~ Scores from divisions of the examination already passed under a previous application shall be carried over and applied to subsequent applications. After January 1, 2006, the Division will hold scores of examinations passed as valid for a period of 5 years in compliance with the NCARB "5-year Rolling Clock". After January 1, 2011, all scores of previous examinations passed after January 1, 2006 must meet the 5-year Rolling Clock requirements. Any division passed prior to January 1, 2006 shall no longer remain valid if all remaining divisions have not been passed by July 1, 2014.
- ~~j)i)~~ Applicants who fail to achieve the required passing score in any division of the examination will be afforded unlimited opportunities to repeat the failed parts of the examination subject to the Act and NCARB requirements.
- ~~k)j)~~ The provisions of this Section shall be waived for an applicant for licensure as an architect who makes application in form and substance satisfactory to the Division pursuant to the standards set forth in Section 1150.30 and causes to be filed with the Division, in addition to his/her application, proof of successful completion of the NCARB examination administered pursuant to the standards outlined above in another jurisdiction. The proof of successful completion must be forwarded directly to the Division from the jurisdiction in which the examination was taken.
- ~~l)k)~~ Divisions of the examination passed in another jurisdiction will be accepted toward licensure in this State if the division was not subsequently failed.
- ~~m)~~ Examination Review
The Division does not allow for review of NCARB examinations for applicants who failed a portion and abides by the outcome of the examinations provided by the test administrator.

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

Section 1150.50 Approved Architecture Programs

- a) An architecture program, upon recommendation of the Board, shall be approved by the Division if it meets the following minimum criteria:
- 1) The educational institution is legally recognized and authorized by the academic jurisdiction in which it is located to confer any of the degrees required for licensure.
 - 2) Has a faculty that comprises a sufficient number of full-time instructors to make certain that the educational obligations to the student are fulfilled. The faculty must have demonstrated competence in their area of teaching as evidenced by appropriate degrees from reputable professional colleges or institutions; and
 - 3) Maintains permanent student records that summarize the credentials for admission, attendance, grades and other records of performance.
 - 4) Has a curriculum ~~that~~^{A) That} confers a first professional degree in architecture and is accredited by ~~the~~ NAAB or CACB.;
 - ~~B) That, until December 31, 2015, confers a pre-professional 4-year degree accepted for direct entry into a professional master of architecture degree program; or~~
 - ~~C) That, until January 1, 1996, for applicants who have completed their education prior to January 1, 1990, is at least 4 academic years and provides educational experience directed toward the development of the ability to apply knowledge to the identification and solution of practical problems and that encompasses the following:~~
 - ~~i) Basic sciences including physics, chemistry and subjects from the other areas of life and earth sciences;~~
 - ~~ii) Architectural science courses in building technology that assist the student to develop capabilities for recognition of~~

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~~problems through to formulation of creative solutions;~~

- iii) ~~Architectural design courses that foster the development of critical awareness and responsibility to protect the public health, safety and welfare;~~
- iv) ~~Appropriate studio and laboratory experience as determined by the college or institution shall be included in the program of each student; and~~
- v) ~~The overall curriculum shall include a minimum of 120 semester hours or the equivalent and shall include at least the following subjects:~~

~~Advanced Mathematics—including calculus and analytical geometry—8 hours~~

~~Basic Sciences—8 hours~~

~~Architectural Sciences—16 hours~~

~~Architectural Design—18 hours—which may include up to 6 hours of art or freehand drawing~~

~~Humanities/Social Studies—12 hours~~

~~History of Architecture—12 hours~~

- b) In determining whether a program should be approved, the Division shall ~~take into consideration but not~~ be bound by accreditation by ~~the National Architectural Accrediting Board (NAAB or CACB).~~
- e) ~~All architecture programs accredited by the NAAB as of January 1, 1991 meet the minimum criteria set forth in subsection (a) for an approved architecture program and are, therefore, approved.~~
- d) ~~Each architectural program, other than a program referred to in subsection (e) from which graduates have been issued permanent licensure in Illinois since July 1, 1975, is deemed an approved architectural program for purposes of meeting the~~

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~~minimum criteria set forth in subsection (a) retrospectively and until such time as the Division, upon the recommendation of the Board, determines that the program should be considered disapproved.~~

- e) ~~Reevaluation~~
 - 1) ~~Any program disapproved for failure to satisfy the minimum requirements set forth in subsection (a) may be reevaluated by the Board upon the request of an applicant for a period of time previously evaluated only for good cause shown. In determining the existence of good cause, the Board shall consider whether the applicant raised an issue as to whether incorrect or insufficient information was provided during the original evaluation. If the program was disapproved based on the fact that the Board has not received sufficient information concerning the program, it shall be reevaluated upon the request of any applicant who can present evidence that sufficient information for evaluation is now available.~~
 - 2) ~~The applicant for whom a reevaluation is conducted shall be required to submit documentation deemed necessary to substantiate that program's assertions. In addition, the Board may request clarification or amplification of any documentation so submitted when additional clarification will aid in the reevaluation decision. Unless the Board at its discretion grants an extension of time on its own motion or at the request of the applicant, it shall, no later than 6 months from the date of the request for reevaluation, either approve the program, disapprove the program for failure to satisfy the minimum requirements of subsection (a), or disapprove the program based on the fact that the Board has not received sufficient information concerning the program. An extension of time will be granted when an extension is necessary in order to effect a fair, equitable and complete evaluation.~~
- f) ~~The Board shall maintain a list of all programs approved as of July 1 of that year.~~
- g) ~~Reevaluation of an Approved Program~~
 - 1) ~~Notwithstanding any other provision of this Section, the Board may reevaluate any approved architectural program at any time if it has reason to believe that the program has failed to continue to satisfy the minimum requirements of subsection (a) or that its decision was based upon false,~~

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~~deceptive or incomplete information.~~

- 2) ~~If the Board has reason to believe there has been any fraud or dishonesty in the furnishing of any documentation for the evaluation of a program, it shall refer the matter to appropriate Division personnel for any disciplinary action that might be appropriate under the Act.~~
- 3) ~~An architectural program whose approval is being reevaluated by the Division shall be given at least 15 days written notice prior to any recommendation by the Board and may either submit written comments or request a hearing before the Board in accordance with 68 Ill. Adm. Code 1110.~~

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

Section 1150.60 Licensure by Endorsement

- a) An applicant who holds an active license or registration to practice architecture under the laws of another state or jurisdiction~~territory~~ and who desires to become licensed by endorsement shall file an application with the Division together with:
 - 1) Either Council Certification or other proof of qualifications and licensure as follows:
 - A) Council Certification, issued by and forwarded directly to the Division by NCARB, showing proof of having met the requirements established in the NCARB Certification Guidelines (through professional degree, EESA evaluation, alternate pathway approved by NCARB or Mutual Recognition Agreement); or
 - B) Other Proof of Qualifications and Licensure
 - i) Proof that the applicant has met requirements substantially equivalent to those in force in this State at the time of original or subsequent licensure by written examination in the other state or jurisdiction~~territory~~, including official transcripts and affidavits of training; and
 - ii) A certification by the state or jurisdiction~~territory~~ of

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original licensure and any other jurisdiction in which the applicant is or has ever been licensed, including the date of issuance of the applicant's license and the current status of each license; the basis of licensure and a description of all examinations by which the applicant was licensed in that state or ~~jurisdiction~~territory and the date of passage of any such examinations; and whether the records of the licensing authority contain any record of disciplinary action taken against the applicant;

- 2) The required fee as set forth in Section 1150.75;
 - 3) A signed and dated affidavit attesting the applicant has read and understands the Act and this Part.
- b) Applicants filing an application under subsection (a)(1)(B) are subject to the following requirements and provisions:
- 1) Applicants who received their education in a foreign country shall have the education comprehensively evaluated, at their expense. Applicants shall obtain an EESA-NCARB Evaluation Report prepared by ~~the Education Evaluation Services for Architects (EESA)~~, which is administered by NAAB. Applicants must establish an NCARB record in order to request an evaluation. The Board will review all transcripts and the evaluation submitted to the Division to determine if the education meets the requirements set forth in Sections 1150.10 and 1150.20.
 - 2) Proof of passage of the Test of English as a Foreign Language Internet Based Test (TOEFL-iBT) with a minimum score of 26 on the speaking module and a total minimum integrated score of 88 or the Test of English as a Foreign Language (TOEFL) with a minimum score of 550 or 213 for the computer-based test and the Test of Spoken English (TSE) with a minimum score of 50, for applicants who apply after January 1, 1997, who graduated from an architectural program outside the United States or its territories and whose first language is not English. ~~In order to determine applicants whose first language is English, the applicant shall submit verification from the school that the architectural program from which the applicant graduated was taught in English.~~ However, any applicant who subsequently earned an advanced degree from an accredited educational

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institution in the United States or its territories shall not be subject to this requirement.

- 3) The Division shall examine each endorsement application to determine whether the requirements in the state or ~~jurisdiction~~territory of original or subsequent licensure were substantially equivalent to the requirements then in force in this State. The Division shall either issue a license by endorsement to the applicant or notify the applicant in writing of the reason for the denial of the application.
 - 4) The Division ~~may~~shall, in individual cases, upon recommendation of the Board, waive passage of one or more parts of the examination upon proof that the applicant has been lawfully engaged in the practice of architecture in another jurisdiction for a minimum of 5 years and has provided evidence demonstrating competence in the area or areas of the examination being considered for waiver (i.e., architectural education, training and experience). If an applicant has previously failed to pass a part or parts of the examination, the applicant shall not be granted a waiver for that part or parts pursuant to this provision.
- c) When the accuracy of any submitted documentation or the relevance or sufficiency of the course work or experience is questioned by the Division or the Board because of a lack of information, discrepancies or conflicts in information given or a need for clarification, the applicant shall be requested to:
- 1) Provide information as may be necessary; and/or
 - 2) Appear for an interview before the Board to explain the relevance or sufficiency, clarify information, or clear up any discrepancies or conflicts in information.

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

Section 1150.65 Inactive Status

- a) Any licensed architect who notifies the Division in writing on forms prescribed by the Division may elect to place his/her license on inactive status and shall be excused from the payment of renewal fees until he/she notifies the Division in writing of the desire to resume active status.

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- b) Any licensee seeking restoration from inactive status shall do so in accordance with Section 1150.70 ~~of this Part~~.
- c) Any licensed architect whose license is on inactive status shall not practice architecture in the State of Illinois. Practicing or offering to practice architecture on a license which is on inactive status shall be grounds for discipline pursuant to Section 22 of the Act.
- d) Inactive status is not available for a Professional Design Firm.

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

Section 1150.70 Restoration

- a) A licensee seeking restoration of a license that has expired for less than 3 years shall have the license restored upon payment of \$50 plus the lapsed renewal fee required by Section 1150.75 and proof of 24 hours of continuing education completed in accordance with Section 1150.105 and within 2 years prior to application.
- b) A licensee seeking restoration of a license that has been placed on inactive status for less than 3 years shall have the license restored upon payment of the current renewal fee as specified by Section 1150.75 and proof of 24 hours of continuing education completed in accordance with Section 1150.105 and within 2 years prior to application.
- c) A licensee seeking restoration of a license after it has expired or been placed on inactive status for more than 3 years shall file an application, on forms supplied by the Division, for review by the Board, together with the fee required by Section 1150.75 and proof of 24 hours of continuing education completed in accordance with Section 1150.105 and within 2 years prior to application. The licensee shall also submit either:
 - 1) Sworn evidence of active practice in another jurisdiction. The evidence shall include a statement from the appropriate board or licensing authority in the other jurisdiction that the licensee was authorized to practice during the term of said active practice;

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- 2) An affidavit attesting to military service as provided in Section 16 of the Act; or
- 3) Other evidence of continued active practice of architecture for at least the last 3 years. Other evidence shall include, but not be limited to:
 - A) Employment in a responsible capacity under the direct supervision and control of a licensed architect;
 - B) Lawfully practicing architecture as an employee of a governmental agency;
 - C) Teaching architecture in a college or university program accredited by the NAAB; or
 - D) Attendance during the past 3 years at educational programs conducted by an approved architecture program or a professional architectural association or similar program approved by the Division upon recommendation of the Board. Continuing education, as required in Section 1150.105, cannot be utilized for this requirement unless specifically approved by the Board for this purpose prior to attendance.
- d) Any person seeking restoration of a license within 2 years after discharge from military service pursuant to Section 16 of the Act will be required to pay only the current renewal fee.
- e) A signed and dated affidavit attesting the applicant has read and understands the Act and this Part.
- f) When the accuracy of any submitted documentation or the relevance or sufficiency of the course work or experience is questioned by the Division or the Board because of lack of information, discrepancies or conflicts in information given or a need for clarification, the applicant seeking restoration may be requested to:
 - 1) Provide information as may be necessary; and/or
 - 2) Appear for an interview before the Board to explain the relevance or

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sufficiency, clarify information, or clear up any discrepancies or conflicts in information. Upon the recommendation of the Board and approval by the Director of the Department of Financial and Professional Regulation-Division of Professional Regulation (Director), an applicant shall have the license restored or will be notified in writing of the reason for the denial of the application.

g) A professional design firm seeking restoration of a license that has expired for any length of time shall have the license restored upon payment of the late fee plus any lapsed renewal fee required by Section 1150.75 and submitting proof of meeting the following current requirements:

- 1) Certificate of Good Standing from the Illinois Secretary of State or a copy of the letter or certificate received from the county clerk where an assumed name has been filed.
- 2) Proof of meeting the $\frac{2}{3}$ requirements of Section 12 of the Act.
- 3) Proof that the Managing Agent-in-Charge is still a member of the Board/partner/member and a full time employee.
- 4) Listing of all offices in Illinois and the name and license number of the architect for each location.

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

Section 1150.75 Fees

The following fees shall be paid to the Division and are not refundable:

- a) Application Fees
 - 1) The fee for application for a license as an architect is \$100. In addition, applicants for an examination shall be required to pay, either to the Division or to the designated testing service, a fee covering the cost of determining an applicant's eligibility and providing the examination. Failure to appear for the examination on the scheduled date, at the time and place specified, after the applicant's application for examination has been received and acknowledged by the Division or the designated testing

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service, shall result in the forfeiture of the examination fee.

- 2) The application fee for a certificate of registration as a professional design firm is \$75.

b) Renewal Fees

- 1) The fee for the renewal of a license shall be calculated at the rate of \$30 per year.
- 2) The fee for renewal of a certificate of registration as a professional design firm is \$75 for the renewal period (see Section 1150.100(c)).

c) General Fees

- 1) The fee for the restoration of a license other than from inactive status is \$50 plus payment of all lapsed renewal fees.
- 2) ~~There is no charge~~The fee for the issuance of ~~a duplicate license, for the issuance of~~ a replacement license for a license that has been lost or destroyed, or for ~~the~~ issuance of a license with a change of name or address, ~~other than during the renewal period, is \$20. Licenses are available electronically through the Department website. No fee is required for name and address changes on Division records when no duplicate license is issued.~~
- 3) The fee for a certification of a licensee's record for any purpose is \$20.
- 4) ~~The fee to have the scoring of an examination administered by the Division reviewed and verified is \$20 plus any fee charge by the testing service.~~
- 4)5) The fee for a wall certificate showing licensure shall be the actual cost of producing the certificate.
- 5)6) The fee for a roster of persons licensed as architects in this State shall be the actual cost of producing the roster.

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

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Section 1150.100 Renewals

- a) Every license issued to an individual under the Act shall expire on November 30 of each even numbered year. The holder of a license may renew the license during the month preceding the expiration date thereof by paying the fee required by Section 1150.75 and meeting the continuing education requirements set forth in Section 1150.105.
- b) It is the responsibility of each licensee to notify the Division of any change of address. Failure to receive a renewal form from the Division shall not constitute an excuse for failure to pay the renewal fee and to renew one's license.
- c) Every license issued to a professional design firm under the Act shall expire on April 30 of each odd numbered year. The holder of the license may renew that license for a two-year period during the month preceding the expiration date thereof by paying the fee specified in Section 1150.75 and by certifying that the firm still meets the requirements of Section 21 of the Act and is in good standing with the Illinois Secretary of State (if applicable) and has an active managing agent-in-charge.
- d) Practicing or operating on a license which has expired or been placed on inactive status shall be considered unlicensed activity and shall be grounds for discipline pursuant to Section 22 of the Act.
- e) It is the responsibility of each licensee to notify the Division of any discipline or conviction of or entry of a plea of guilty or nolo contendere to any crime that is a felony under the laws of the United States or any state or territory thereof, or that is a misdemeanor, an essential element of which is dishonesty, or any crime that is directly related to the practice of the profession of architecture during the last renewal.

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

Section 1150.105 Continuing Education Requirements

The continuing education required as a condition for license renewal under the Architecture Practice Act is set forth in this Section. All architects shall meet these requirements.

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- a) Beginning with the November 30, 2004 renewal (for the period from December 1, 2002 through November 30, 2004) and every renewal thereafter, in addition to other requirements, an architect must have acquired continuing education for each 24-month period since the architect's last renewal of licensure, or be exempt from the continuing education requirements, as provided in subsection (h). Failure to comply with these requirements may result in non-renewal of the architect's license or other disciplinary action, or both.
- b) **Renewal Period:** Within any 24-month biennial renewal period during which 24 contact hours must be acquired, at least 16 contact hours must be public protection subjects, which are relevant to safeguarding public health, safety and welfare, and acquired in structured educational activities. A maximum of 8 contact hours may be in related practice subjects acquired either in structured educational activities or individually planned educational activities. Hours acquired in any 24-month period may not be carried over to a subsequent 24-month period. Continuing education hours need not be acquired within this jurisdiction, but may be acquired at any location.
- c) **Restored Licensees:** In addition to other requirements as set forth in Sections 16 and 17 of the Act and Sections 1150.65 and 1150.70 of this Part, a licensee who has placed his or her license on inactive status or has allowed a license to lapse for reasons other than active duty in the military service of the United States, as set forth in Section 16 of the Act, and desires to have the license restored shall evidence completion of all continuing education hours that would have been required in order to maintain the license in an active status, not to exceed 24 contact hours.
- d) **Reporting and Record Keeping**
 - 1) Each renewal applicant shall certify, on the renewal application, to full compliance with the continuing education requirements set forth in this Section.
 - 2) The Division may require evidence demonstrating compliance with the continuing education requirements. It is the responsibility of each renewal applicant to retain or otherwise produce evidence of compliance. The evidence shall be retained for at least 4 years following the renewal period for which the continuing education was taken. The evidence may include, but not be limited to the following:

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- A) Certificate of attendance;
 - B) Signed attendance receipts;
 - C) Sponsor's list of attendees (signed by a person in responsible charge of the activity);
 - D) Records showing activity claimed, sponsoring organization, location, duration, etc.;
 - E) A log of learning that may consist of diaries, summary of activities, photographs, public or organization records, receipts, etc.; or
 - F) Transcripts or records of continuing education credits maintained by an acceptable provider of continuing education as defined by subsection (f).
- 3) The Division may conduct random audits to verify compliance with continuing education requirements.
 - 4) If the Division disallows any continuing education hours, unless the Division finds, following notice and hearing, that the licensee willfully disregarded these requirements, then the licensee shall have 6 months from notice of the disallowance to make up the deficiency by acquiring the required number of contact hours. Those contact hours shall not be used again for the next renewal.
 - 5) When it is determined by the Division that the licensee has willfully disregarded these requirements, the licensee may be subject to discipline as set forth in Section 22 of the Act.
- e) Acceptable Activities
- 1) The following types of activities may qualify to fulfill the requirement for a minimum of 16 contact hours to be acquired in structured educational activities (all 24 hours may be acquired in these activities):

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- A) Contact hours in attendance at short courses or seminars, dealing with architectural subjects and sponsored by colleges or universities.
- B) Contact hours in attendance at presentations on architectural subjects that are held in conjunction with meetings, conferences or conventions of architect professional organizations recognized by the Division to the extent that contact hours are credited only to that portion of the meeting, conference or convention that comprises the educational program.
- C) Contact hours in attendance at short courses or seminars, relating to professional practice or new technology and offered by colleges, universities, professional organizations or system suppliers.
- D) Teaching or instructing an architectural course, seminar, lecture, presentation or workshop shall constitute 3 contact hours for each hour spent in the actual presentation. Teaching credit shall be valid for the initial presentation only. Teaching credit shall not apply to faculty teaching regularly scheduled curriculum courses at a college, university or other educational institution.
- E) Contact hours spent in architectural research that is published or is formally presented to the profession or public.
- F) Successfully completing structured architectural self-study courses, presented by correspondence, Internet, television, video or audio, ending with examination or other verification processes. The contact hours acquired for this activity shall be as recommended by the program sponsor.
- G) College or university credit courses dealing with architectural subjects or business practice. Each semester hour shall equal 15 contact hours. A quarter hour shall equal 10 contact hours.
- H) Contact hours spent in educational tours of architecturally significant projects, when the tour is sponsored by a college, university or professional organization.

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- D) Authoring published papers, articles or books. A maximum of 12 contact hours may be acquired in this activity.
- 2) The following types of activities may qualify for the maximum of 8 contact hours allowed to be acquired in individually planned educational activities that are self-directed:
 - A) Contact hours spent in professional service to the public that draws upon the licensee's professional expertise on boards and commissions, such as: serving on planning commissions, building code advisory boards, urban renewal boards, code study committees or regulatory boards.
 - B) Contact hours for serving as a mentor or supervisor for the [AXP Intern Development Program \(IDP\)](#) required to satisfy the diversified professional training requirements pursuant to Section 1150.10. This service to an intern, or interns, shall be consistent with the responsibilities set forth in the current edition of the NCARB [AXP IDP](#) Guidelines for an intern's mentor and supervisor.
 - C) Contact hours spent in planned activities, such as business and practice efficiency, business development, personal improvement, new skills and general education related to the practice of architecture.
 - D) Contact hours spent in unstructured self-study tours of architecturally significant projects when there is a clear objective to maintain and strengthen competency in a design or technical field.
 - E) Actively participating in a technical or professional society or organization shall be the equivalent of 2 contact hours. An individual shall serve as an officer or actively participate in a committee of the organization to receive credit for this activity. Contact hours shall be limited to 2 per organization and shall not be acquired until the completion of each year of service.
 - 3) The content of public protection subjects acceptable for purposes of

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continuing education under subsection (e)(1) shall be limited to:

- A) Codes, statutes and administrative regulations governing the practice of architecture.
 - B) Environmental issues.
 - C) Professional ethics.
 - D) State licensing law.
 - E) Design proficiency.
 - F) Interface with other design disciplines (e.g., planners, consultants, specialists and financiers) other than through normal day-to-day contact.
 - G) Legal aspects of contracts, documents, insurance, bonds, project administration, etc.
 - H) Specialization in preservation, adaptive reuse or building types.
 - I) Construction documents and services.
 - J) Materials and methods.
 - K) Mechanical, plumbing, electrical and life safety.
 - L) Structural technology.
 - M) Energy efficiency.
 - N) Project Administration.
 - O) Accessibility issues.
 - P) New technical/professional skills.
- f) Acceptable providers for structured educational activities shall include, but not be

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limited to:

- 1) American Institute of Architects (AIA).
 - 2) National Council of Architectural Registration Boards (NCARB).
 - 3) Construction Specifications Institute (CSI).
 - 4) Association of Licensed Architects (ALA).
 - 5) Colleges, universities or other educational institutions.
 - 6) Other technical or professional societies or organizations.
- g) The Division will not pre-approve individual courses or programs.
- h) Exemptions: A licensee may be exempt from the foregoing continuing education requirements if one of the following situations occurs. If an exemption is claimed, it is required that the renewal fee and any documentation needed to support the exemption be submitted for renewal of a license.
- 1) A licensee shall not be required to report continuing education hours during the first biennial renewal period in which the licensee obtained initial licensure in Illinois, but shall be subject to the continuing education requirements for all subsequent biennial renewal periods.
 - 2) A licensee who is on full-time active duty in the military service of the United States, or is a licensee who is called to temporary active duty in the military service or Armed Forces of the United States for a period of time exceeding 120 consecutive days during the renewal period, when that activity restricts participation in a continuing education program.
 - 3) A licensee who demonstrates to the satisfaction of the Division that meeting these requirements would work an undue hardship by reason of disability, illness or other clearly mitigating circumstances. The supporting documentation shall be in the form of a sworn statement by the licensee, a statement from a physician, or medical records that show that the disability, illness, or circumstance prevented the licensee's participation in the continuing education program during a substantial part

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of the renewal period. If the Division finds from the evidence that good cause has been shown for non-compliance, the Division shall waive enforcement, extend the time within which the applicant shall comply, or establish a particular program or schedule of continuing education for the renewal period in which the undue hardship existed.

- i) Definitions
 - 1) "Contact Hour" means one 60 minute clock hour of an educational activity with no less than 50 minutes of instructional content within the hour. Credit shall be granted in half-hour increments. A qualifying activity of 30 to 49 minutes would be reported as 0.5 contact hours and an activity of 50 to 60 minutes would be reported as 1.0 contact hour.
 - 2) "Individually Planned Educational Activities" means educational activities in which the teaching methodology primarily consists of the architect himself or herself addressing public protection subjects or related practice subjects that are not systematically presented by others, including the study of such related subjects, rendering service to the public and advancing the profession's and public's understanding of the practice of architecture.
 - 3) "Structured Educational Activities" means educational activities in which the teaching methodology consists primarily of the systematic presentation of public protection subjects by qualified individuals or organizations, including monographs, course of study taught in person or by correspondence, organized lectures, presentations or workshops and other means through which identifiable technical and professional subjects are presented in a planned manner. To qualify as a Structured Educational Activity, continuing education credit shall be awarded by the sponsor upon completion of the activity.
- j) There is no restriction on the amount of continuing education that can be completed through on-line or self-administered courses, provided that the courses meet the requirements of this Section.

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

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Section 1150.APPENDIX B Historical Summary of Minimum Requirements to Qualify for Examination for Licensure as an Architect in Illinois

(For specific details refer to the Rules for the Administration of the Illinois Architecture Practice Act of 1989 that were in effect for the appropriate time period specified in this Appendix B)

- a) July 1, 1897 through June 30, 1919: Applicants who are 21 years old and have made payment of \$15 fee to take examination. Any person who is shown by affidavit to have been engaged in the practice of architecture on July 1, 1897 shall be entitled to a license without examination; provided that the application is made within 6 months after passage of the Act.
- b) July 1, 1919 through July 10, 1957: 21 years old; citizen of U.S. Applicants who are graduates of a high school or secondary school approved by the Department of Registration and Education and 3 years of experience in the office of a reputable architect.
- c) July 11, 1957 through September 30, 1977: 21 years old; citizen of U.S. Applicants who are graduates of a high school or secondary school approved by the Department of Registration and Education and 8 years of experience in the office of a registered architect. Applicants with up to 5 years of architectural study in an approved school of architecture and additional years experience in the office of a registered architect that total 8 years of experience and study.
- d) October 1, 1977 through December 31, 1984: 21 years old; citizen of U.S. Applicant with a professional degree from an accredited school of architecture were eligible to take Phase I and upon completion of 3 years practical experience could take Phase II. Applicants who are graduates of an approved high school and 8 years of experience.
- e) January 1, 1985 through December 31, 1995: The following education and architectural experience under the direct supervision of a U.S. licensed architect qualified for examination/licensure:
 - 1) Applicants with a professional degree from a program accredited by NAAB:
 - A) 6-year professional degree (M/Arch) and 2 years of architectural experience;

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- B) 5-year professional degree (B/Arch) and 3 years of architectural experience;
- 2) Applicants with a degree in architecture from a Board-approved program not accredited by NAAB:
- A) Master's degree and 4 years of architectural experience;
 - B) 5-year bachelor's degree and 4.5 years of architectural experience;
 - C) 4-year bachelor's degree and 5 years of architectural experience;
 - D) 4-year degree in architecture-related field or program as listed below and 6 years of architectural experience:
 - landscape architecture;
 - interior design;
 - building technology;
 - construction management;
 - urban and regional planning;
 - historic preservation;
 - architectural, civil, mechanical, structural, general or electrical engineering;
 - E) 4-year or more degree in any field and 7 years of architectural experience.
- f) January 1, 1996 through August 9, 1998: The following education and architectural experience under the direct supervision of a U.S. licensed architect qualified for examination/licensure:
- 1) 6-year professional degree (M/Arch) in architecture from a program

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accredited by NAAB and 2 years (or 465 Intern Development Program Training Units (IDP TU's)) of architectural experience;

- 2) 5-year professional degree (B/Arch) in architecture from a program accredited by NAAB and 3 years (or 700 IDP TU's) of architectural experience;
 - 3) Pre-professional 4-year baccalaureate degree in architecture from a program acceptable for direct entry into a first professional master of architecture degree program accredited by NAAB and 5 years (or 1170 IDP TU's) of architectural experience.
- g) August 10 through December 31, 1998: An NCARB IDP Record certifying to the completion of the following education and indicated minimum number of acceptable TU's is required for examination/licensure:
- 1) 6-year professional degree (M/Arch) in architecture from a program accredited by NAAB and 465 TU's;
 - 2) 5-year professional degree (B/Arch) in architecture from a program accredited by NAAB and 700 TU's;
 - 3) Pre-professional 4-year baccalaureate degree in architecture from a program acceptable for direct entry into a first professional master of architecture degree program accredited by NAAB and 1170 TU's.
- h) After December 31, 1998: An NCARB IDP Record certifying to the completion of the following education and indicated minimum number of acceptable TU's is required for examination/licensure:
- 1) 6-year professional degree (M/Arch) in architecture from a program accredited by NAAB and 700 TU's;
 - 2) 5-year professional degree (B/Arch) in architecture from a program accredited by NAAB and 700 TU's;
 - 3) Pre-professional 4-year baccalaureate degree in architecture from a program acceptable for direct entry into a first professional master of architecture degree program accredited by NAAB and 1170 TU's.

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- i) January 1, 2000: Section 16.5 of the Act required continuing education. November 12, 2002, Section 1150.105 of the Administrative Rules was approved, requiring the CE for the 2002-2004 renewal and all renewals thereafter.
- j) September 2002: Illinois became a "Direct Registration Program" participant with NCARB. Subsequent to that date, all applicants applied directly through NCARB for IDP and approval to take the ARE. Applicants who were previously approved for testing through Continental Testing Services, Inc. before that date continued testing through CTS. Applicants who completed the IDP and ARE through NCARB then were required to submit an application for "Acceptance of Exam" to the Division.
- k) October 20, 2004: Section 1150.60 was amended to allow licensure by endorsement based upon the NCARB Council Record.
- l) [Effective January 1, 2005, pursuant to PA 93-1009, the pre-professional degree was acceptable only until January 1, 2010.](#)
- ~~m)~~ Pursuant to ~~PA~~[Public Act](#) 94-0543, effective July 1, 2005, the Act changed. The Division will no longer accept pre-professional degrees for licensure after January 1, 2014.
- ~~n)~~~~m)~~ January 1, 2006: NCARB "5-year Rolling Clock" for ARE was accepted. All scores prior to January 1, 2006 will be kept indefinitely. After January 1, 2006, all portions of the ARE must be completed within 5 years. If all exams are not passed within the 5-year period, the earliest score is voided and the exam must be retaken.
- ~~o)~~~~n)~~ As of January 1, 2011, any division passed prior to January 1, 2006 shall no longer remain valid if all remaining divisions have not been passed by January 1, 2014. Scores prior to January 1, 2006 will cease to be valid as of January 1, 2014. All scores must meet the NCARB "5-year Rolling Clock" requirements.
- ~~p)~~~~o)~~ In 2010 NCARB changed the requirements for IDP 2.0 from IDP Training Units to IDP Training Hours. One Training Unit equals 8 hours of acceptable activity. One Training Hour is one hour of acceptable activity.

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- q) Pursuant to PA 98-288 (see 225 ILCS 305/13) effective August 9, 2013, acceptance of a pre-professional degree for licensure was extended to December 31, 2015.
- r) On July 1, 2015, NCARB reduced the training requirements for IDP from 5600 training units to the core training units of 3740 for a professional degree. Illinois still required the 9360 training units for the pre-professional degree through December 31, 2015. Through that date, an applicant could not sit for the ARE with a pre-professional degree before completing the IDP requirements of 9360 Training Hours.
- s) The definition of a pre-professional degree, acceptable through December 31, 2015, had the following requirements:
- The overall curriculum shall include a minimum of 120 semester hours or the equivalent and shall include at least the following subjects:
- Advanced Mathematics – including calculus and analytical geometry – 8 hours
- Basic Sciences – 8 hours
- Architectural Sciences – 16 hours
- Architectural Design – 18 hours – which may include up to 6 hours of art or freehand drawing
- Humanities/Social Studies – 12 hours
- History of Architecture – 12 hours
- t) On July 1, 2016 NCARB changed the name of the IDP to AXP (Architect Experience Program) and changed the definitions and requirements to 6 experience areas and 96 tasks. The minimum requirement for a professional degree is 3740 hours.
- u) On November 1, 2016, NCARB introduced the new ARE 5.0. The ARE 4.0 will run concurrently with the 5.0 until 4.0 is phased out on June 30, 2018. Those applicants who started under 4.0 will have the choice of attempting to complete

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under 4.0 before June 30, 2018. Any applicant not completing the ARE 4.0 by June 30, 2018 will be transferred into the ARE 5.0 program, and the examinations will be converted by NCARB.

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

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Section 1150.APPENDIX C Historical Summary of Examination Requirements

- a) Pre-Design is satisfied by one of the following:
- 1) Examination Syllabus C (1954-1973)
 - 2) Equivalency Examination I (1973-1977, or Qualifying Test – Section A (1977-1978), and Professional Examination – Parts I and II (1973-1978), or Professional Examination – Section B, Parts I and II (1979-1982) – see subsection (h)
 - 3) Division A of the ARE (1983-1996)
 - 4) Pre-Design (PD) of the ARE 3.1 (1996-2009)
 - 5) Programming, Planning & Practice (PP) of the ARE 4.0 (2008-[June 30, 2018](#)~~Present~~)
- b) Site Planning is satisfied by one of the following:
- 1) Examination Syllabus D (1954-1973)
 - 2) Equivalency Examination III (1973-1977)
 - 3) Qualifying Test – Sections E, F (1977-1978)
 - 4) Professional Examination – Section A (1979-1982)
 - 5) Division B of the ARE (1983-1987)
 - 6) Division B (Written and Graphic of the ARE (1988-1996))
 - 7) Site Planning (SP) of the ARE 3.1 (1996-2009)
 - 8) Programming, Planning & Practice (PP) and Site Planning & Practice (SPD) of the ARE 4.0 (2008-[June 30, 2018](#)~~Present~~)
- c) Building Planning and Building Technology are satisfied by one of the following:

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- 1) Examination Syllabus E (1954-1973)
 - 2) Equivalency Examination III (1973-1977)
 - 3) Qualifying Test – Sections E, F (1977-1978)
 - 4) Professional Examination – Section A (1979-1982)
 - 5) Division C of the ARE (1983-1996)
 - 6) Building Planning (BP) & Building Technology (BT) of the ARE 3.1 (1996-2009)
 - 7) Schematic Design (SD), Building Design & Construction Systems (BD), Building Systems (BS), Construction Documents & Service (CDS), and Structural Systems (SS) of the ARE 4.0 (2008-[June 30, 2018](#)~~Present~~)
- d) General Structures is satisfied by one of the following:
- 1) Examination Syllabus G (1954-1973)
 - 2) Equivalency Examination II (1973-1977) – see subsection (i)
 - 3) Qualifying Test – Section B (1977-1982) – see subsection (i)
 - 4) Professional Examination Part III (1973-1978) – see subsection (i)
 - 5) Professional Examination – Section B, Part III (1979-1982) – see subsection (i)
 - 6) Divisions D and F of the ARE (1983-1996)
 - 7) Divisions D/F of the ARE (1988-1996)
 - 8) General Structures (GS) of the ARE 3.1 (1996-2009)
 - 9) Structural Systems (SS) of the ARE 4.0 (2008-[June 30, 2018](#)~~Present~~)
- e) Lateral Forces is satisfied by one of the following:

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- 1) Examination Syllabus G (1954-1973)
 - 2) Equivalency Examination II (1973-1977) – see subsection (i)
 - 3) Qualifying Test – Section B (1977-1982) – see subsection (i)
 - 4) Professional Examination Part III (1973-1978) – see subsection (i)
 - 5) Professional Examination – Section B, Part III (1979-1982) – see subsection (i)
 - 6) Division E of the ARE (1983-1996)
 - 7) Lateral Forces (LF) of the ARE 3.1 (1996-2009)
 - 8) Structural Systems (SS) of the ARE 4.0 (2008-[June 30, 2018](#)~~Present~~)
- f) Mechanical & Electrical Systems is satisfied by one of the following:
- 1) Examination Syllabus I (1954-1973)
 - 2) Equivalency Examination II (1973-1977) – see subsection (i)
 - 3) Qualifying Test – Section D (1977-1982) – see subsection (i)
 - 4) Professional Examination Part III (1973-1978) – see subsection (i)
 - 5) Professional Examination – Section B, Part III (1979-1982) – see subsection (i)
 - 6) Division G of the ARE (1983-1996)
 - 7) Mechanical & Electrical Systems (ME) of the ARE 3.1 (1996-2009)
 - 8) Building Systems (BS) of the ARE 4.0 (2008-[June 30, 2018](#)~~Present~~)
- g) Materials & Methods is satisfied by one of the following:

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- 1) Examination Syllabus F (1954-1973)
 - 2) Equivalency Examination II (1973-1977) – see subsection (i)
 - 3) Qualifying Test – Section C (1977-1982) – see subsection (i)
 - 4) Professional Examination Part III (1973-1978) – see subsection (i)
 - 5) Professional Examination – Section B, Part III (1979-1982) – see subsection (i)
 - 6) Division H of the ARE (1983-1996)
 - 7) Materials & Methods (MM) of the ARE 3.1 (1996-2009)
 - 8) Building Design & Construction Systems (BD) of the ARE 4.0 (2008-[June 30, 2018](#)~~Present~~)
- h) Construction Documents & Services is satisfied by one of the following:
- 1) Examination Syllabus H (1954-1973)
 - 2) Professional Examination Part IV (1973-1977)
 - 3) Professional Examination – Section B, Part IV (1978-1982)
 - 4) Division I of the ARE (1983-1996)
 - 5) Construction Documents & Services (CD) of the ARE 3.1 (1996-2009)
 - 6) Construction Documents & Services (CDS) of the ARE 4.0 (2008-[June 30, 2018](#)~~Present~~)
- i) Since the history and theory of architecture are incorporated into all Divisions of the ARE, no credit will be given for only having passed the Qualifying Test – Section A, History.
- j) In order to be eligible for transfer credits for any part of the Professional Examination-Section B, the candidate must have passed three parts of the

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examination in one sitting, on or after December 1980.

- k) Applicants shall, in all cases, pass the Pre-Design Division of the ARE if they have not passed the Equivalency Examination I or Section A of the Qualifying Test even though the applicant may have passed the Professional Examination-Section B, Parts I and II.
- l) Applicants without an NAAB-accredited degree must, in all cases, pass the General Structures, Lateral Forces, Mechanical & Electrical Systems and Materials & Methods divisions of the ARE if they have not passed the Equivalency Examination II or equivalent portions of the Qualifying Test, even though the applicant may have passed the Professional Examination-Section B, Part III.
- m) After January 1, 2006, the Division will hold scores of examinations passed as valid for a period of 5 years reflecting the NCARB "5-year Rolling Clock". All scores of previously passed examinations prior to January 1, 2006 will be valid permanently.
- n) As of January 1, 2014, any division passed prior to January 1, 2006 shall no longer remain valid if all remaining divisions have not been passed by July 1, 2014. Scores prior to January 1, 2006 will cease to be valid as of January 1, 2014. All scores must meet the NCARB "5-year Rolling Clock" requirements.
- o) Pursuant to ~~PA Public Act~~ 98-288 (~~see~~ 225 ILCS 305/13) effective August 9, 2013, acceptance of a pre-professional degree for licensure was extended to January 1, 2016. After that date, approvals to sit for the ARE or for licensure requires an NAAB-accredited professional degree.
- p) As of January 1, 2016, Illinois requires either an NAAB accredited professional degree or a degree meeting NCARB requirements for a professional degree (CACB or EESA evaluation) for approval to sit for the ARE.

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

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NOTICE OF PROPOSED AMENDMENT

- 1) Heading of the Part: Video Gaming (General)
- 2) Code Citation: 11 Ill. Adm. Code 1800
- 3) Section Number: 1800.220 Proposed Action:
Amendment
- 4) Statutory Authority: Authorized by Section 78 (a) (3) and (b) of the Video Gaming Act [230 ILCS 40/78 (a) (3) and (b)]
- 5) A Complete Description of the Subjects and Issues Involved: The proposed rulemaking amends Section 1800.220 (Continuing Duty to Report Information) in the following respects:

In subsection c), the rulemaking amends the current provision requiring licensees and applicants to report "[e]ach arrest, summons, citation or charge for any criminal offense or violation, excluding minor traffic violations." New language provides that the information to be reported includes, but is not limited to, all changes relating to criminal arrest or criminal proceeding disposition history, whether charged or uncharged, concerning any criminal offense under the laws of any jurisdiction or Uniform Code of Military Conduct, in any state or foreign country, including any arrest or disposition that has been expunged or sealed.

The rulemaking authorizes the Administrator to issue fines for violations of subsection c). Fine amounts shall be \$250 for a first violation and \$500 for a second or subsequent violation. Imposition of a fine by the Administrator does not preclude the Illinois Gaming Board from initiating additional disciplinary action for a violation of this subsection. Licensees or applicants that have been issued fines may contest them under the disciplinary hearings procedures of Subpart G [11 Ill. Admin. Code 1800.710 through 1800.795].

In subsection d), the rulemaking authorizes the Administrator to issue fines against licensed locations for failure to possess a valid liquor license as required by Section 55 of the Video Gaming Act [40 Ill. Admin. Code 40/55]. Fine amounts shall equal the total amount of Net Terminal Income for the period of time that the establishment operated in violation of Section 55. Imposition of a fine by the Administrator does not preclude the Illinois Gaming Board from initiating additional disciplinary action for a violation of this

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subsection, and licensees or applicants that have been issued fines may contest them under the disciplinary hearings procedures of Subpart G.

- 6) Published studies and reports, and underlying sources of data, used to compose this rulemaking: None
- 7) Will this proposed rulemaking replace an 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 rulemakings pending on this Part? Yes

<u>Section Number:</u> 1800.815	<u>Proposed Action:</u> New Section	<u>Illinois Register Citation:</u> 40 Ill. Reg. 13299; September 23, 2016
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- 11) Statement of Statewide Policy Objective: This rulemaking does not create or expand a State mandate under 30 ILCS 805.
- 12) Time, place and manner in which interested persons may comment on this proposed rulemaking: Any interested person may submit comments in writing concerning this proposed rulemaking not later than 45 days after publication of this Notice in the Illinois Register to:

Agostino Lorenzini
General Counsel
Illinois Gaming Board
160 North LaSalle Street
Chicago IL 60601

fax: 312/814-7253
Agostino.lorenzini@igb.illinois.gov

- 13) Initial Regulatory Flexibility Analysis:

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- A) Types of small businesses, small municipalities and not-for-profit corporations affected: The rulemaking will affect licensed video gaming applicants and licensees that qualify as small businesses if they have failed to comply with the continuous reporting requirements of 11 Ill. Admin. Code 1800.220 or are locations conducting video gaming without possessing a valid liquor license in violation of Section 55 of the Video Gaming Act [230 ILCS 40/55].
- B) Reporting, bookkeeping or other procedures required for compliance: None
- C) Types of professional skills necessary for compliance: The proposed rulemaking will impose no additional requirements.
- 14) Regulatory Agenda on which this rulemaking was summarized: This rulemaking was not summarized in a regulatory agenda because it was not anticipated.

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

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NOTICE OF PROPOSED AMENDMENT

TITLE 11: ALCOHOL, HORSE RACING, LOTTERY, AND VIDEO GAMING
SUBTITLE D: VIDEO GAMING
CHAPTER I: ILLINOIS GAMING BOARD

PART 1800
VIDEO GAMING (GENERAL)

SUBPART A: GENERAL PROVISIONS

Section	
1800.110	Definitions
1800.115	Gender
1800.120	Inspection
1800.130	Board Meetings

SUBPART B: DUTIES OF LICENSEES

Section	
1800.210	General Duties of All Video Gaming Licensees
1800.220	Continuing Duty to Report Information
1800.230	Duties of Licensed Manufacturers
1800.240	Duties of Licensed Distributors
1800.250	Duties of Licensed Video Terminal Operators
1800.260	Duties of Licensed Technicians and Licensed Terminal Handlers
1800.270	Duties of Licensed Video Gaming Locations

SUBPART C: STANDARDS OF CONDUCT FOR LICENSEES

Section	
1800.310	Grounds for Disciplinary Actions
1800.320	Minimum Standards for Use Agreements
1800.330	Economic Disassociation

SUBPART D: LICENSING QUALIFICATIONS

Section	
1800.410	Coverage of Subpart

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- 1800.420 Qualifications for Licensure
- 1800.430 Persons with Significant Influence or Control
- 1800.440 Undue Economic Concentration

SUBPART E: LICENSING PROCEDURES

Section

- 1800.510 Coverage of Subpart
- 1800.520 Applications
- 1800.530 Submission of Application
- 1800.540 Application Fees
- 1800.550 Consideration of Applications by the Board
- 1800.555 Withdrawal of Applications and Surrender of Licenses
- 1800.560 Issuance of License
- 1800.570 Renewal of License
- 1800.580 Renewal Fees and Dates
- 1800.590 Death and Change of Ownership of Video Gaming Licensee

SUBPART F: DENIALS OF APPLICATIONS FOR LICENSURE

Section

- 1800.610 Coverage of Subpart
- 1800.615 Requests for Hearing
- 1800.620 Appearances
- 1800.625 Appointment of Administrative Law Judge
- 1800.630 Discovery
- 1800.635 Subpoenas
- 1800.640 Motions for Summary Judgment
- 1800.650 Proceedings
- 1800.660 Evidence
- 1800.670 Prohibition on Ex Parte Communication
- 1800.680 Sanctions and Penalties
- 1800.690 Transmittal of Record and Recommendation to the Board
- 1800.695 Status of Applicant for Licensure Upon Filing Request for Hearing

SUBPART G: DISCIPLINARY ACTIONS AGAINST LICENSEES

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Section

1800.710	Coverage of Subpart
1800.715	Notice of Proposed Disciplinary Action Against Licensees
1800.720	Hearings in Disciplinary Actions
1800.725	Appearances
1800.730	Appointment of Administrative Law Judge
1800.735	Discovery
1800.740	Subpoenas
1800.745	Motions for Summary Judgment
1800.750	Proceedings
1800.760	Evidence
1800.770	Prohibition on Ex Parte Communication
1800.780	Sanctions and Penalties
1800.790	Transmittal of Record and Recommendation to the Board
1800.795	Persons Subject to Proposed Orders of Economic Disassociation

SUBPART H: LOCATION OF VIDEO GAMING TERMINALS IN
LICENSED VIDEO GAMING LOCATIONS

Section

1800.810	Location and Placement of Video Gaming Terminals
1800.820	Measurement of Distances from Locations
1800.830	Waivers of Location Restrictions

SUBPART I: SECURITY INTERESTS

Section

1800.910	Approvals Required, Applicability, Scope of Approval
1800.920	Notice of Enforcement of a Security Interest
1800.930	Prior Registration

SUBPART J: TRANSPORTATION, REGISTRATION,
AND DISTRIBUTION OF VIDEO GAMING TERMINALS

Section

1800.1010	Restriction on Sale, Distribution, Transfer, Supply and Operation of Video Gaming Terminals
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- 1800.1020 Transportation of Video Gaming Terminals into the State
- 1800.1030 Receipt of Video Gaming Terminals in the State
- 1800.1040 Transportation of Video Gaming Terminals Between Locations in the State
- 1800.1050 Approval to Transport Video Gaming Terminals Outside of the State
- 1800.1060 Placement of Video Gaming Terminals
- 1800.1065 Registration of Video Gaming Terminals
- 1800.1070 Disposal of Video Gaming Terminals

SUBPART K: STATE-LOCAL RELATIONS

- Section
- 1800.1110 State-Local Relations

SUBPART L: FINGERPRINTING OF APPLICANTS

- Section
- 1800.1210 Definitions
- 1800.1220 Entities Authorized to Perform Fingerprinting
- 1800.1230 Qualification as a Livescan Vendor
- 1800.1240 Fingerprinting Requirements
- 1800.1250 Fees for Fingerprinting
- 1800.1260 Grounds for Revocation, Suspension and Denial of Contract

SUBPART M: PUBLIC ACCESS TO INFORMATION

- Section
- 1800.1310 Public Requests for Information

SUBPART N: PAYOUT DEVICES AND REQUIREMENTS

- Section
- 1800.1410 Ticket Payout Devices
- 1800.1420 Redemption of Tickets Following Removal or Unavailability of Ticket Payout Devices

SUBPART O: NON-PAYMENT OF TAXES

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Section
1800.1510 Non-Payment of Taxes

SUBPART P: CENTRAL COMMUNICATIONS SYSTEM

Section
1800.1610 Use of Gaming Device or Individual Game Performance Data

AUTHORITY: Implementing and authorized by the Video Gaming Act [230 ILCS 40].

SOURCE: Adopted by emergency rulemaking at 33 Ill. Reg. 14793, effective October 19, 2009, for a maximum of 150 days; adopted at 34 Ill. Reg. 2893, effective February 22, 2010; emergency amendment at 34 Ill. Reg. 8589, effective June 15, 2010, for a maximum of 150 days; emergency expired November 11, 2010; amended at 35 Ill. Reg. 1369, effective January 5, 2011; emergency amendment at 35 Ill. Reg. 13949, effective July 29, 2011, for a maximum of 150 days; emergency expired December 25, 2011; amended at 36 Ill. Reg. 840, effective January 6, 2012; amended by emergency rulemaking at 36 Ill. Reg. 4150, effective February 29, 2012, for a maximum of 150 days; amended at 36 Ill. Reg. 5455, effective March 21, 2012; amended at 36 Ill. Reg. 10029, effective June 28, 2012; emergency amendment at 36 Ill. Reg. 11492, effective July 6, 2012, for a maximum of 150 days; emergency expired December 2, 2012; emergency amendment at 36 Ill. Reg. 12895, effective July 24, 2012, for a maximum of 150 days; amended at 36 Ill. Reg. 13178, effective July 30, 2012; amended at 36 Ill. Reg. 15112, effective October 1, 2012; amended at 36 Ill. Reg. 17033, effective November 21, 2012; expedited correction at 39 Ill. Reg. 8183, effective November 21, 2012; amended at 36 Ill. Reg. 18550, effective December 14, 2012; amended at 37 Ill. Reg. 810, effective January 11, 2013; amended at 37 Ill. Reg. 4892, effective April 1, 2013; amended at 37 Ill. Reg. 7750, effective May 23, 2013; amended at 37 Ill. Reg. 18843, effective November 8, 2013; emergency amendment at 37 Ill. Reg. 19882, effective November 26, 2013, for a maximum of 150 days; emergency amendment suspended by the Joint Committee on Administrative Rules at 38 Ill. Reg. 3384, effective January 14, 2014; suspension withdrawn at 38 Ill. Reg. 5897; emergency repeal of emergency amendment at 38 Ill. Reg. 7337, effective March 12, 2014, for the remainder of the 150 days; amended at 38 Ill. Reg. 849, effective December 27, 2013; amended at 38 Ill. Reg. 14275, effective June 30, 2014; amended at 38 Ill. Reg. 19919, effective October 2, 2014; amended at 39 Ill. Reg. 5401, effective March 27, 2015; amended at 39 Ill. Reg. 5593, effective April 1, 2015; amended at 40 Ill. Reg. 2952, effective January 27, 2016; amended at 40 Ill. Reg. 8760, effective June 14, 2016; amended at 40 Ill. Reg. 12762, effective August 19, 2016; amended at 40 Ill. Reg. 15131, effective October 18, 2016; amended at 41 Ill. Reg. _____, effective _____.

ILLINOIS GAMING BOARD

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SUBPART B: DUTIES OF LICENSEES

Section 1800.220 Continuing Duty to Report Information

Licensees and applicants for licensure under the Act and persons with significant influence or control have a continuing duty to ~~promptly~~ report within 21 days all of the following to the Administrator or his or her designee:

- a) A violation of the Act, this Part or any illegal conduct, including, but not limited to, the possession, maintenance, facilitation or use of any illegal gaming device.;
- b) Any fact, event, occurrence, matter or action that may affect the conduct of video gaming or the business and financial arrangements incidental to the conduct of video gaming, or the ability to conduct the activities for which the licensee is licensed, including, but not limited to, any change or addition in persons identified as having significant influence or control.;
- c) Each arrest, summons, citation or charge for any criminal offense or violation, excluding minor traffic violations. Information to be reported under this subsection shall include, but not be limited to, all changes relating to criminal arrest or criminal proceeding disposition history, whether charged or uncharged, concerning any criminal offense under the laws of any jurisdiction or the Uniform Code of Military Conduct, in any state or foreign country, including any arrest or disposition that has been expunged or sealed. As disciplinary action for a violation of this subsection, the Administrator may impose a fine of \$250 for a first violation and \$500 for a second or subsequent violation. Imposition of a fine by the Administrator under this subsection shall not preclude the Board from initiating additional or further disciplinary action against a licensee or applicant. A licensee or applicant that has been issued a fine under this subsection may contest the fine under Subpart G. For purposes of filing a response under Section 1800.720, a notice of fine under this subsection shall be considered a notice of proposed disciplinary action.;
- d) Any adverse action taken or nonrenewal relative to a liquor license. As disciplinary action for a violation of this subsection, the Administrator may impose a fine equal to the total amount of Net Terminal Income for the period of

ILLINOIS GAMING BOARD

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time that the establishment operated in violation of Section 55 of the Video Gaming Act. Imposition of a fine by the Administrator under this subsection shall not preclude the Board from initiating additional or further disciplinary action against a licensee or applicant. A licensee that has been issued a fine under this subsection may contest the fine under Subpart G. For purposes of filing a response under Section 1800.720, a notice of fine shall be considered a notice of proposed disciplinary action.;~~and~~

- e) Any changes or additions to all material information provided in an application for a video gaming license, including but not limited to:
- 1) Use Agreements;
 - 2) Persons who have acted or will act as a sales agent or broker, or otherwise engage in the solicitation of business from current or potential licensed video gaming locations; and
 - 3) Agreements with any individual or business entity related to the sharing of, or allotting, any sums of money derived from the operation of video gaming.

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

DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES

NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: Medical Payment
- 2) Code Citation: 89 Ill. Adm. Code 140
- 3) Section Numbers: Proposed Actions:
 140.3 Amendment
 140.400 Amendment
 140.423 New Section
 140.424 New Section
- 4) Statutory Authority: Section 12-13 of the Illinois Public Aid Code [305 ILCS 5/12-13]
- 5) Complete Description of the Subjects and Issues Involved: The proposed amendments are being made pursuant to PA 99-621 and would allow licensed clinical psychologists and licensed clinical social workers to become enrolled providers in the Medical Assistance Program and bill fee-for-service. These providers will be reimbursed at 75 percent of the physician reimbursement rates.
- 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? Yes

<u>Section Numbers:</u>	<u>Proposed Actions:</u>	<u>Illinois Register Citations:</u>
140.435	Amendment	40 Ill. Reg. 6936; May 6, 2016
140.521	Amendment	40 Ill. Reg. 6936; May 6, 2016
140.Table D	Amendment	40 Ill. Reg. 6936; May 6, 2016
140.421	Amendment	40 Ill. Reg. 9909; July 22, 2016
140.469	Amendment	40 Ill. Reg. 9909; July 22, 2016
140.491	Amendment	40 Ill. Reg. 9909; July 22, 2016
140.494	Amendment	40 Ill. Reg. 9909; July 22, 2016

DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES

NOTICE OF PROPOSED AMENDMENTS

140.80	Amendment	40 Ill. Reg. 14999; November 4, 2016
140.473	Amendment	40 Ill. Reg. 15271; November 14, 2016
140.74	New Section	40 Ill. Reg. 15645; November 28, 2016

- 11) Statement of Statewide Policy Objective: This rulemaking does not affect units of local government.
- 12) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Any interested parties may submit comments, data, views, or arguments concerning this proposed rulemaking. All comments must be in writing and should be addressed to:

Mollie Zito
General Counsel
Illinois Department of Healthcare and Family Services
201 South Grand Avenue East, 3rd Floor
Springfield IL 62763-0002

HFS.Rules@illinois.gov

The Department requests the submission of written comments within 45 days after the publication of this Notice. The Department will consider all written comments it receives during the first notice period as required by Section 5-40 of the Illinois Administrative Procedure Act [5 ILCS 100/5-40].

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

DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES

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

DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES

NOTICE OF PROPOSED AMENDMENTS

TITLE 89: SOCIAL SERVICES

CHAPTER I: DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES

SUBCHAPTER d: MEDICAL PROGRAMS

PART 140

MEDICAL PAYMENT

SUBPART A: GENERAL PROVISIONS

Section

- 140.1 Incorporation By Reference
- 140.2 Medical Assistance Programs
- 140.3 Covered Services Under Medical Assistance Programs
- 140.4 Covered Medical Services Under AFDC-MANG for non-pregnant persons who are 18 years of age or older (Repealed)
- 140.5 Covered Medical Services Under General Assistance
- 140.6 Medical Services Not Covered
- 140.7 Medical Assistance Provided to Individuals Under the Age of Eighteen Who Do Not Qualify for AFDC and Children Under Age Eight
- 140.8 Medical Assistance For Qualified Severely Impaired Individuals
- 140.9 Medical Assistance for a Pregnant Woman Who Would Not Be Categorically Eligible for AFDC/AFDC-MANG if the Child Were Already Born Or Who Do Not Qualify As Mandatory Categorically Needy
- 140.10 Medical Assistance Provided to Persons Confined or Detained by the Criminal Justice System

SUBPART B: MEDICAL PROVIDER PARTICIPATION

Section

- 140.11 Enrollment Conditions for Medical Providers
- 140.12 Participation Requirements for Medical Providers
- 140.13 Definitions
- 140.14 Denial of Application to Participate in the Medical Assistance Program
- 140.15 Suspension and Denial of Payment, Recovery of Money and Penalties
- 140.16 Termination, Suspension or Exclusion of a Vendor's Eligibility to Participate in the Medical Assistance Program
- 140.17 Suspension of a Vendor's Eligibility to Participate in the Medical Assistance

DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES

NOTICE OF PROPOSED AMENDMENTS

- Program
- 140.18 Effect of Termination, Suspension, Exclusion or Revocation on Persons Associated with Vendor
- 140.19 Application to Participate or for Reinstatement Subsequent to Termination, Suspension, Exclusion or Barring
- 140.20 Submittal of Claims
- 140.21 Reimbursement for QMB Eligible Medical Assistance Recipients and QMB Eligible Only Recipients and Individuals Who Are Entitled to Medicare Part A or Part B and Are Eligible for Some Form of Medicaid Benefits
- 140.22 Magnetic Tape Billings (Repealed)
- 140.23 Payment of Claims
- 140.24 Payment Procedures
- 140.25 Overpayment or Underpayment of Claims
- 140.26 Payment to Factors Prohibited
- 140.27 Assignment of Vendor Payments
- 140.28 Record Requirements for Medical Providers
- 140.30 Audits
- 140.31 Emergency Services Audits
- 140.32 Prohibition on Participation, and Special Permission for Participation
- 140.33 Publication of List of Sanctioned Entities
- 140.35 False Reporting and Other Fraudulent Activities
- 140.40 Prior Approval for Medical Services or Items
- 140.41 Prior Approval in Cases of Emergency
- 140.42 Limitation on Prior Approval
- 140.43 Post Approval for Items or Services When Prior Approval Cannot Be Obtained
- 140.44 Withholding of Payments Due to Fraud or Misrepresentation
- 140.45 Withholding of Payments Upon Provider Audit, Quality of Care Review, Credible Allegation of Fraud or Failure to Cooperate
- 140.55 Electronic Data Interchange Service
- 140.71 Reimbursement for Medical Services Through the Use of a C-13 Invoice Voucher Advance Payment and Expedited Payments
- 140.72 Drug Manual (Recodified)
- 140.73 Drug Manual Updates (Recodified)

SUBPART C: PROVIDER ASSESSMENTS

Section

DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES

NOTICE OF PROPOSED AMENDMENTS

140.80	Hospital Provider Fund
140.82	Developmentally Disabled Care Provider Fund
140.84	Long Term Care Provider Fund
140.86	Supportive Living Facility Funds
140.94	Medicaid Developmentally Disabled Provider Participation Fee Trust Fund/Medicaid Long Term Care Provider Participation Fee Trust Fund
140.95	Hospital Services Trust Fund
140.96	General Requirements (Recodified)
140.97	Special Requirements (Recodified)
140.98	Covered Hospital Services (Recodified)
140.99	Hospital Services Not Covered (Recodified)
140.100	Limitation On Hospital Services (Recodified)
140.101	Transplants (Recodified)
140.102	Heart Transplants (Recodified)
140.103	Liver Transplants (Recodified)
140.104	Bone Marrow Transplants (Recodified)
140.110	Disproportionate Share Hospital Adjustments (Recodified)
140.116	Payment for Inpatient Services for GA (Recodified)
140.117	Hospital Outpatient and Clinic Services (Recodified)
140.200	Payment for Hospital Services During Fiscal Year 1982 (Recodified)
140.201	Payment for Hospital Services After June 30, 1982 (Repealed)
140.202	Payment for Hospital Services During Fiscal Year 1983 (Recodified)
140.203	Limits on Length of Stay by Diagnosis (Recodified)
140.300	Payment for Pre-operative Days and Services Which Can Be Performed in an Outpatient Setting (Recodified)
140.350	Copayments (Recodified)
140.360	Payment Methodology (Recodified)
140.361	Non-Participating Hospitals (Recodified)
140.362	Pre July 1, 1989 Services (Recodified)
140.363	Post June 30, 1989 Services (Recodified)
140.364	Prepayment Review (Recodified)
140.365	Base Year Costs (Recodified)
140.366	Restructuring Adjustment (Recodified)
140.367	Inflation Adjustment (Recodified)
140.368	Volume Adjustment (Repealed)
140.369	Groupings (Recodified)
140.370	Rate Calculation (Recodified)

DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES

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140.371	Payment (Recodified)
140.372	Review Procedure (Recodified)
140.373	Utilization (Repealed)
140.374	Alternatives (Recodified)
140.375	Exemptions (Recodified)
140.376	Utilization, Case-Mix and Discretionary Funds (Repealed)
140.390	Subacute Alcoholism and Substance Abuse Services (Recodified)
140.391	Definitions (Recodified)
140.392	Types of Subacute Alcoholism and Substance Abuse Services (Recodified)
140.394	Payment for Subacute Alcoholism and Substance Abuse Services (Recodified)
140.396	Rate Appeals for Subacute Alcoholism and Substance Abuse Services (Recodified)
140.398	Hearings (Recodified)

SUBPART D: PAYMENT FOR NON-INSTITUTIONAL SERVICES

Section	
140.400	Payment to Practitioners
140.402	Copayments for Noninstitutional Medical Services
140.403	Telehealth Services
140.405	Non-Institutional Rate Reductions
140.410	Physicians' Services
140.411	Covered Services By Physicians
140.412	Services Not Covered By Physicians
140.413	Limitation on Physician Services
140.414	Requirements for Prescriptions and Dispensing of Pharmacy Items – Prescribers
140.416	Optometric Services and Materials
140.417	Limitations on Optometric Services
140.418	Department of Corrections Laboratory
140.420	Dental Services
140.421	Limitations on Dental Services
140.422	Requirements for Prescriptions and Dispensing Items of Pharmacy Items – Dentists (Repealed)
140.423	Licensed Clinical Psychologist Services
140.424	Licensed Clinical Social Worker Services
140.425	Podiatry Services
140.426	Limitations on Podiatry Services

DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES

NOTICE OF PROPOSED AMENDMENTS

- 140.427 Requirement for Prescriptions and Dispensing of Pharmacy Items – Podiatry (Repealed)
- 140.428 Chiropractic Services
- 140.429 Limitations on Chiropractic Services (Repealed)
- 140.430 Independent Clinical Laboratory Services
- 140.431 Services Not Covered by Independent Clinical Laboratories
- 140.432 Limitations on Independent Clinical Laboratory Services
- 140.433 Payment for Clinical Laboratory Services
- 140.434 Record Requirements for Independent Clinical Laboratories
- 140.435 Advanced Practice Nurse Services
- 140.436 Limitations on Advanced Practice Nurse Services
- 140.438 Diagnostic Imaging Services
- 140.440 Pharmacy Services
- 140.441 Pharmacy Services Not Covered
- 140.442 Prior Approval of Prescriptions
- 140.443 Filling of Prescriptions
- 140.444 Compounded Prescriptions
- 140.445 Legend Prescription Items (Not Compounded)
- 140.446 Over-the-Counter Items
- 140.447 Reimbursement
- 140.448 Returned Pharmacy Items
- 140.449 Payment of Pharmacy Items
- 140.450 Record Requirements for Pharmacies
- 140.451 Prospective Drug Review and Patient Counseling
- 140.452 Mental Health Services
- 140.453 Definitions
- 140.454 Types of Mental Health Services
- 140.455 Payment for Mental Health Services
- 140.456 Hearings
- 140.457 Therapy Services
- 140.458 Prior Approval for Therapy Services
- 140.459 Payment for Therapy Services
- 140.460 Clinic Services
- 140.461 Clinic Participation, Data and Certification Requirements
- 140.462 Covered Services in Clinics
- 140.463 Clinic Service Payment
- 140.464 Hospital-Based and Encounter Rate Clinic Payments

DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES

NOTICE OF PROPOSED AMENDMENTS

- 140.465 Speech and Hearing Clinics (Repealed)
- 140.466 Rural Health Clinics (Repealed)
- 140.467 Independent Clinics
- 140.469 Hospice
- 140.470 Eligible Home Health Care, Nursing and Public Health Providers
- 140.471 Description of Home Health Care Services
- 140.472 Types of Home Health Care Services
- 140.473 Prior Approval for Home Health Care Services
- 140.474 Payment for Home Health Care Services
- 140.475 Medical Equipment, Supplies, Prosthetic Devices and Orthotic Devices
- 140.476 Medical Equipment, Supplies, Prosthetic Devices and Orthotic Devices for Which Payment Will Not Be Made
- 140.477 Limitations on Equipment, Prosthetic Devices and Orthotic Devices
- 140.478 Prior Approval for Medical Equipment, Supplies, Prosthetic Devices and Orthotic Devices
- 140.479 Limitations, Medical Supplies
- 140.480 Equipment Rental Limitations
- 140.481 Payment for Medical Equipment, Supplies, Prosthetic Devices and Hearing Aids
- 140.482 Family Planning Services
- 140.483 Limitations on Family Planning Services
- 140.484 Payment for Family Planning Services
- 140.485 Healthy Kids Program
- 140.486 Illinois Healthy Women
- 140.487 Healthy Kids Program Timeliness Standards
- 140.488 Periodicity Schedules, Immunizations and Diagnostic Laboratory Procedures
- 140.490 Medical Transportation
- 140.491 Limitations on Medical Transportation
- 140.492 Payment for Medical Transportation
- 140.493 Payment for Helicopter Transportation
- 140.494 Record Requirements for Medical Transportation Services
- 140.495 Psychological Services
- 140.496 Payment for Psychological Services
- 140.497 Hearing Aids
- 140.498 Fingerprint-Based Criminal Background Checks

SUBPART E: GROUP CARE

DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES

NOTICE OF PROPOSED AMENDMENTS

Section

140.500	Long Term Care Services
140.502	Cessation of Payment at Federal Direction
140.503	Cessation of Payment for Improper Level of Care
140.504	Cessation of Payment Because of Termination of Facility
140.505	Informal Hearing Process for Denial of Payment for New ICF/MR
140.506	Provider Voluntary Withdrawal
140.507	Continuation of Provider Agreement
140.510	Determination of Need for Group Care
140.511	Long Term Care Services Covered By Department Payment
140.512	Utilization Control
140.513	Notification of Change in Resident Status
140.514	Certifications and Recertifications of Care (Repealed)
140.515	Management of Recipient Funds – Personal Allowance Funds
140.516	Recipient Management of Funds
140.517	Correspondent Management of Funds
140.518	Facility Management of Funds
140.519	Use or Accumulation of Funds
140.520	Management of Recipient Funds – Local Office Responsibility
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140.522	Reconciliation of Recipient Funds
140.523	Bed Reserves
140.524	Cessation of Payment Due to Loss of License
140.525	Quality Incentive Program (QUIP) Payment Levels
140.526	County Contribution to Medicaid Reimbursement (Repealed)
140.527	Quality Incentive Survey (Repealed)
140.528	Payment of Quality Incentive (Repealed)
140.529	Reviews (Repealed)
140.530	Basis of Payment for Long Term Care Services
140.531	General Service Costs
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140.534	Ownership Costs
140.535	Costs for Interest, Taxes and Rent
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140.537	Payments to Related Organizations
140.538	Special Costs

DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES

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- 140.539 Reimbursement for Basic Nursing Assistant, Developmental Disabilities Aide, Basic Child Care Aide and Habilitation Aide Training and Nursing Assistant Competency Evaluation
- 140.540 Costs Associated With Nursing Home Care Reform Act and Implementing Regulations
- 140.541 Salaries Paid to Owners or Related Parties
- 140.542 Cost Reports – Filing Requirements
- 140.543 Time Standards for Filing Cost Reports
- 140.544 Access to Cost Reports (Repealed)
- 140.545 Penalty for Failure to File Cost Reports
- 140.550 Update of Operating Costs
- 140.551 General Service Costs Updates
- 140.552 Nursing and Program Costs
- 140.553 General Administrative Costs Updates
- 140.554 Component Inflation Index (Repealed)
- 140.555 Minimum Wage
- 140.560 Components of the Base Rate Determination
- 140.561 Support Costs Components
- 140.562 Nursing Costs
- 140.563 Capital Costs
- 140.565 Kosher Kitchen Reimbursement
- 140.566 Out-of-State Placement
- 140.567 Level II Incentive Payments (Repealed)
- 140.568 Duration of Incentive Payments (Repealed)
- 140.569 Clients With Exceptional Care Needs
- 140.570 Capital Rate Component Determination
- 140.571 Capital Rate Calculation
- 140.572 Total Capital Rate
- 140.573 Other Capital Provisions
- 140.574 Capital Rates for Rented Facilities
- 140.575 Newly Constructed Facilities (Repealed)
- 140.576 Renovations (Repealed)
- 140.577 Capital Costs for Rented Facilities (Renumbered)
- 140.578 Property Taxes
- 140.579 Specialized Living Centers
- 140.580 Mandated Capital Improvements (Repealed)
- 140.581 Qualifying as Mandated Capital Improvement (Repealed)

DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES

NOTICE OF PROPOSED AMENDMENTS

140.582	Cost Adjustments
140.583	Campus Facilities
140.584	Illinois Municipal Retirement Fund (IMRF)
140.590	Audit and Record Requirements
140.642	Screening Assessment for Nursing Facility and Alternative Residential Settings and Services
140.643	In-Home Care Program
140.645	Home and Community Based Services Waivers for Medically Fragile, Technology Dependent, Disabled Persons Under Age 21 (Repealed)
140.646	Reimbursement for Developmental Training (DT) Services for Individuals With Developmental Disabilities Who Reside in Long Term Care (ICF and SNF) and Residential (ICF/MR) Facilities
140.647	Description of Developmental Training (DT) Services
140.648	Determination of the Amount of Reimbursement for Developmental Training (DT) Programs
140.649	Effective Dates of Reimbursement for Developmental Training (DT) Programs
140.650	Certification of Developmental Training (DT) Programs
140.651	Decertification of Day Programs
140.652	Terms of Assurances and Contracts
140.680	Effective Date Of Payment Rate
140.700	Discharge of Long Term Care Residents
140.830	Appeals of Rate Determinations
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SUBPART F: FEDERAL CLAIMING FOR STATE AND LOCAL GOVERNMENTAL ENTITIES

Section	
140.850	Reimbursement of Administrative Expenditures
140.855	Administrative Claim Review and Reconsideration Procedure
140.860	County Owned or Operated Nursing Facilities
140.865	Sponsor Qualifications (Repealed)
140.870	Sponsor Responsibilities (Repealed)
140.875	Department Responsibilities (Repealed)
140.880	Provider Qualifications (Repealed)
140.885	Provider Responsibilities (Repealed)
140.890	Payment Methodology (Repealed)

DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES

NOTICE OF PROPOSED AMENDMENTS

140.895	Contract Monitoring (Repealed)
140.896	Reimbursement For Program Costs (Active Treatment) For Clients in Long Term Care Facilities For the Developmentally Disabled (Recodified)
140.900	Reimbursement For Nursing Costs For Geriatric Residents in Group Care Facilities (Recodified)
140.901	Functional Areas of Needs (Recodified)
140.902	Service Needs (Recodified)
140.903	Definitions (Recodified)
140.904	Times and Staff Levels (Repealed)
140.905	Statewide Rates (Repealed)
140.906	Reconsiderations (Recodified)
140.907	Midnight Census Report (Recodified)
140.908	Times and Staff Levels (Recodified)
140.909	Statewide Rates (Recodified)
140.910	Referrals (Recodified)
140.911	Basic Rehabilitation Aide Training Program (Recodified)
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SUBPART G: MATERNAL AND CHILD HEALTH PROGRAM

Section	
140.920	General Description
140.922	Covered Services
140.924	Maternal and Child Health Provider Participation Requirements
140.926	Client Eligibility (Repealed)
140.928	Client Enrollment and Program Components (Repealed)
140.930	Reimbursement
140.932	Payment Authorization for Referrals (Repealed)

SUBPART H: ILLINOIS COMPETITIVE ACCESS AND REIMBURSEMENT EQUITY (ICARE) PROGRAM

Section	
140.940	Illinois Competitive Access and Reimbursement Equity (ICARE) Program (Recodified)
140.942	Definition of Terms (Recodified)
140.944	Notification of Negotiations (Recodified)

DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES

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- 140.946 Hospital Participation in ICARE Program Negotiations (Recodified)
- 140.948 Negotiation Procedures (Recodified)
- 140.950 Factors Considered in Awarding ICARE Contracts (Recodified)
- 140.952 Closing an ICARE Area (Recodified)
- 140.954 Administrative Review (Recodified)
- 140.956 Payments to Contracting Hospitals (Recodified)
- 140.958 Admitting and Clinical Privileges (Recodified)
- 140.960 Inpatient Hospital Care or Services by Non-Contracting Hospitals Eligible for Payment (Recodified)
- 140.962 Payment to Hospitals for Inpatient Services or Care not Provided under the ICARE Program (Recodified)
- 140.964 Contract Monitoring (Recodified)
- 140.966 Transfer of Recipients (Recodified)
- 140.968 Validity of Contracts (Recodified)
- 140.970 Termination of ICARE Contracts (Recodified)
- 140.972 Hospital Services Procurement Advisory Board (Recodified)
- 140.980 Elimination Of Aid To The Medically Indigent (AMI) Program (Emergency Expired)
- 140.982 Elimination Of Hospital Services For Persons Age Eighteen (18) And Older And Persons Married And Living With Spouse, Regardless Of Age (Emergency Expired)

SUBPART I: PRIMARY CARE CASE MANAGEMENT PROGRAM

Section

- 140.990 Primary Care Case Management Program
- 140.991 Primary Care Provider Participation Requirements
- 140.992 Populations Eligible to Participate in the Primary Care Case Management Program
- 140.993 Care Management Fees
- 140.994 Panel Size and Affiliated Providers
- 140.995 Mandatory Enrollment
- 140.996 Access to Health Care Services
- 140.997 Payment for Services

SUBPART J: ALTERNATE PAYEE PARTICIPATION

DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES

NOTICE OF PROPOSED AMENDMENTS

Section

140.1001	Registration Conditions for Alternate Payees
140.1002	Participation Requirements for Alternate Payees
140.1003	Recovery of Money for Alternate Payees
140.1004	Conditional Registration for Alternate Payees
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SUBPART K: MANDATORY MCO ENROLLMENT

Section

140.1010	Mandatory Enrollment in MCOs
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SUBPART L: UNAUTHORIZED USE OF MEDICAL ASSISTANCE

Section

140.1300	Definitions
140.1310	Recovery of Money
140.1320	Penalties
140.1330	Enforcement

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140.TABLE B	Geographic Areas
140.TABLE C	Capital Cost Areas
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140.TABLE E	Time Limits for Processing of Prior Approval Requests
140.TABLE F	Podiatry Service Schedule
140.TABLE G	Travel Distance Standards
140.TABLE H	Areas of Major Life Activity
140.TABLE I	Staff Time and Allocation for Training Programs (Recodified)
140.TABLE J	Rate Regions
140.TABLE K	Services Qualifying for 10% Add-On (Repealed)
140.TABLE L	Services Qualifying for 10% Add-On to Surgical Incentive Add-On (Repealed)
140.TABLE M	Enhanced Rates for Maternal and Child Health Provider Services (Repealed)

AUTHORITY: Implementing and authorized by Articles III, IV, V and VI and Section 12-13 of the Illinois Public Aid Code [305 ILCS 5/Arts. III, IV, V and VI and 12-13].

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SOURCE: Adopted at 3 Ill. Reg. 24, p. 166, effective June 10, 1979; rule repealed and new rule adopted at 6 Ill. Reg. 8374, effective July 6, 1982; emergency amendment at 6 Ill. Reg. 8508, effective July 6, 1982, for a maximum of 150 days; amended at 7 Ill. Reg. 681, effective December 30, 1982; amended at 7 Ill. Reg. 7956, effective July 1, 1983; amended at 7 Ill. Reg. 8308, effective July 1, 1983; amended at 7 Ill. Reg. 8271, effective July 5, 1983; emergency amendment at 7 Ill. Reg. 8354, effective July 5, 1983, for a maximum of 150 days; amended at 7 Ill. Reg. 8540, effective July 15, 1983; amended at 7 Ill. Reg. 9382, effective July 22, 1983; amended at 7 Ill. Reg. 12868, effective September 20, 1983; peremptory amendment at 7 Ill. Reg. 15047, effective October 31, 1983; amended at 7 Ill. Reg. 17358, effective December 21, 1983; amended at 8 Ill. Reg. 254, effective December 21, 1983; emergency amendment at 8 Ill. Reg. 580, effective January 1, 1984, for a maximum of 150 days; codified at 8 Ill. Reg. 2483; amended at 8 Ill. Reg. 3012, effective February 22, 1984; amended at 8 Ill. Reg. 5262, effective April 9, 1984; amended at 8 Ill. Reg. 6785, effective April 27, 1984; amended at 8 Ill. Reg. 6983, effective May 9, 1984; amended at 8 Ill. Reg. 7258, effective May 16, 1984; emergency amendment at 8 Ill. Reg. 7910, effective May 22, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 7910, effective June 1, 1984; amended at 8 Ill. Reg. 10032, effective June 18, 1984; emergency amendment at 8 Ill. Reg. 10062, effective June 20, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 13343, effective July 17, 1984; amended at 8 Ill. Reg. 13779, effective July 24, 1984; Sections 140.72 and 140.73 recodified to 89 Ill. Adm. Code 141 at 8 Ill. Reg. 16354; amended (by adding sections being codified with no substantive change) at 8 Ill. Reg. 17899; peremptory amendment at 8 Ill. Reg. 18151, effective September 18, 1984; amended at 8 Ill. Reg. 21629, effective October 19, 1984; peremptory amendment at 8 Ill. Reg. 21677, effective October 24, 1984; amended at 8 Ill. Reg. 22097, effective October 24, 1984; peremptory amendment at 8 Ill. Reg. 22155, effective October 29, 1984; amended at 8 Ill. Reg. 23218, effective November 20, 1984; emergency amendment at 8 Ill. Reg. 23721, effective November 21, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 25067, effective December 19, 1984; emergency amendment at 9 Ill. Reg. 407, effective January 1, 1985, for a maximum of 150 days; amended at 9 Ill. Reg. 2697, effective February 22, 1985; amended at 9 Ill. Reg. 6235, effective April 19, 1985; amended at 9 Ill. Reg. 8677, effective May 28, 1985; amended at 9 Ill. Reg. 9564, effective June 5, 1985; amended at 9 Ill. Reg. 10025, effective June 26, 1985; emergency amendment at 9 Ill. Reg. 11403, effective June 27, 1985, for a maximum of 150 days; amended at 9 Ill. Reg. 11357, effective June 28, 1985; amended at 9 Ill. Reg. 12000, effective July 24, 1985; amended at 9 Ill. Reg. 12306, effective August 5, 1985; amended at 9 Ill. Reg. 13998, effective September 3, 1985; amended at 9 Ill. Reg. 14684, effective September 13, 1985; amended at 9 Ill. Reg. 15503, effective October 4, 1985; amended at 9 Ill. Reg. 16312, effective October 11, 1985; amended at 9 Ill. Reg. 19138, effective December 2, 1985; amended

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at 9 Ill. Reg. 19737, effective December 9, 1985; amended at 10 Ill. Reg. 238, effective December 27, 1985; emergency amendment at 10 Ill. Reg. 798, effective January 1, 1986, for a maximum of 150 days; amended at 10 Ill. Reg. 672, effective January 6, 1986; amended at 10 Ill. Reg. 1206, effective January 13, 1986; amended at 10 Ill. Reg. 3041, effective January 24, 1986; amended at 10 Ill. Reg. 6981, effective April 16, 1986; amended at 10 Ill. Reg. 7825, effective April 30, 1986; amended at 10 Ill. Reg. 8128, effective May 7, 1986; emergency amendment at 10 Ill. Reg. 8912, effective May 13, 1986, for a maximum of 150 days; amended at 10 Ill. Reg. 11440, effective June 20, 1986; amended at 10 Ill. Reg. 14714, effective August 27, 1986; amended at 10 Ill. Reg. 15211, effective September 12, 1986; emergency amendment at 10 Ill. Reg. 16729, effective September 18, 1986, for a maximum of 150 days; amended at 10 Ill. Reg. 18808, effective October 24, 1986; amended at 10 Ill. Reg. 19742, effective November 12, 1986; amended at 10 Ill. Reg. 21784, effective December 15, 1986; amended at 11 Ill. Reg. 698, effective December 19, 1986; amended at 11 Ill. Reg. 1418, effective December 31, 1986; amended at 11 Ill. Reg. 2323, effective January 16, 1987; amended at 11 Ill. Reg. 4002, effective February 25, 1987; Section 140.71 recodified to 89 Ill. Adm. Code 141 at 11 Ill. Reg. 4302; amended at 11 Ill. Reg. 4303, effective March 6, 1987; amended at 11 Ill. Reg. 7664, effective April 15, 1987; emergency amendment at 11 Ill. Reg. 9342, effective April 20, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 9169, effective April 28, 1987; amended at 11 Ill. Reg. 10903, effective June 1, 1987; amended at 11 Ill. Reg. 11528, effective June 22, 1987; amended at 11 Ill. Reg. 12011, effective June 30, 1987; amended at 11 Ill. Reg. 12290, effective July 6, 1987; amended at 11 Ill. Reg. 14048, effective August 14, 1987; amended at 11 Ill. Reg. 14771, effective August 25, 1987; amended at 11 Ill. Reg. 16758, effective September 28, 1987; amended at 11 Ill. Reg. 17295, effective September 30, 1987; amended at 11 Ill. Reg. 18696, effective October 27, 1987; amended at 11 Ill. Reg. 20909, effective December 14, 1987; amended at 12 Ill. Reg. 916, effective January 1, 1988; emergency amendment at 12 Ill. Reg. 1960, effective January 1, 1988, for a maximum of 150 days; amended at 12 Ill. Reg. 5427, effective March 15, 1988; amended at 12 Ill. Reg. 6246, effective March 16, 1988; amended at 12 Ill. Reg. 6728, effective March 22, 1988; Sections 140.900 thru 140.912 and 140.Table H and 140.Table I recodified to 89 Ill. Adm. Code 147.5 thru 147.205 and 147.Table A and 147.Table B at 12 Ill. Reg. 6956; amended at 12 Ill. Reg. 6927, effective April 5, 1988; Sections 140.940 thru 140.972 recodified to 89 Ill. Adm. Code 149.5 thru 149.325 at 12 Ill. Reg. 7401; amended at 12 Ill. Reg. 7695, effective April 21, 1988; amended at 12 Ill. Reg. 10497, effective June 3, 1988; amended at 12 Ill. Reg. 10717, effective June 14, 1988; emergency amendment at 12 Ill. Reg. 11868, effective July 1, 1988, for a maximum of 150 days; amended at 12 Ill. Reg. 12509, effective July 15, 1988; amended at 12 Ill. Reg. 14271, effective August 29, 1988; emergency amendment at 12 Ill. Reg. 16921, effective September 28, 1988, for a maximum of 150 days; amended at 12 Ill. Reg. 16738, effective October 5, 1988; amended at 12 Ill. Reg. 17879,

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effective October 24, 1988; amended at 12 Ill. Reg. 18198, effective November 4, 1988; amended at 12 Ill. Reg. 19396, effective November 6, 1988; amended at 12 Ill. Reg. 19734, effective November 15, 1988; amended at 13 Ill. Reg. 125, effective January 1, 1989; amended at 13 Ill. Reg. 2475, effective February 14, 1989; amended at 13 Ill. Reg. 3069, effective February 28, 1989; amended at 13 Ill. Reg. 3351, effective March 6, 1989; amended at 13 Ill. Reg. 3917, effective March 17, 1989; amended at 13 Ill. Reg. 5115, effective April 3, 1989; amended at 13 Ill. Reg. 5718, effective April 10, 1989; amended at 13 Ill. Reg. 7025, effective April 24, 1989; Sections 140.850 thru 140.896 recodified to 89 Ill. Adm. Code 146.5 thru 146.225 at 13 Ill. Reg. 7040; amended at 13 Ill. Reg. 7786, effective May 20, 1989; Sections 140.94 thru 140.398 recodified to 89 Ill. Adm. Code 148.10 thru 148.390 at 13 Ill. Reg. 9572; emergency amendment at 13 Ill. Reg. 10977, effective July 1, 1989, for a maximum of 150 days; emergency expired November 28, 1989; amended at 13 Ill. Reg. 11516, effective July 3, 1989; amended at 13 Ill. Reg. 12119, effective July 7, 1989; Section 140.110 recodified to 89 Ill. Adm. Code 148.120 at 13 Ill. Reg. 12118; amended at 13 Ill. Reg. 12562, effective July 17, 1989; amended at 13 Ill. Reg. 14391, effective August 31, 1989; emergency amendment at 13 Ill. Reg. 15473, effective September 12, 1989, for a maximum of 150 days; amended at 13 Ill. Reg. 16992, effective October 16, 1989; amended at 14 Ill. Reg. 190, effective December 21, 1989; amended at 14 Ill. Reg. 2564, effective February 9, 1990; emergency amendment at 14 Ill. Reg. 3241, effective February 14, 1990, for a maximum of 150 days; emergency expired July 14, 1990; amended at 14 Ill. Reg. 4543, effective March 12, 1990; emergency amendment at 14 Ill. Reg. 4577, effective March 6, 1990, for a maximum of 150 days; emergency expired August 3, 1990; emergency amendment at 14 Ill. Reg. 5575, effective April 1, 1990, for a maximum of 150 days; emergency expired August 29, 1990; emergency amendment at 14 Ill. Reg. 5865, effective April 3, 1990, for a maximum of 150 days; amended at 14 Ill. Reg. 7141, effective April 27, 1990; emergency amendment at 14 Ill. Reg. 7249, effective April 27, 1990, for a maximum of 150 days; amended at 14 Ill. Reg. 10062, effective June 12, 1990; amended at 14 Ill. Reg. 10409, effective June 19, 1990; emergency amendment at 14 Ill. Reg. 12082, effective July 5, 1990, for a maximum of 150 days; amended at 14 Ill. Reg. 13262, effective August 6, 1990; emergency amendment at 14 Ill. Reg. 14184, effective August 16, 1990, for a maximum of 150 days; emergency amendment at 14 Ill. Reg. 14570, effective August 22, 1990, for a maximum of 150 days; amended at 14 Ill. Reg. 14826, effective August 31, 1990; amended at 14 Ill. Reg. 15366, effective September 12, 1990; amended at 14 Ill. Reg. 15981, effective September 21, 1990; amended at 14 Ill. Reg. 17279, effective October 12, 1990; amended at 14 Ill. Reg. 18057, effective October 22, 1990; amended at 14 Ill. Reg. 18508, effective October 30, 1990; amended at 14 Ill. Reg. 18813, effective November 6, 1990; Notice of Corrections to Adopted Amendment at 15 Ill. Reg. 1174; amended at 14 Ill. Reg. 20478, effective December 7, 1990; amended at 14 Ill. Reg. 20729, effective December 12, 1990; amended at 15 Ill. Reg. 298,

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effective December 28, 1990; emergency amendment at 15 Ill. Reg. 592, effective January 1, 1991, for a maximum of 150 days; amended at 15 Ill. Reg. 1051, effective January 18, 1991; amended at 15 Ill. Reg. 6220, effective April 18, 1991; amended at 15 Ill. Reg. 6534, effective April 30, 1991; amended at 15 Ill. Reg. 8264, effective May 23, 1991; amended at 15 Ill. Reg. 8972, effective June 17, 1991; amended at 15 Ill. Reg. 10114, effective June 21, 1991; amended at 15 Ill. Reg. 10468, effective July 1, 1991; amended at 15 Ill. Reg. 11176, effective August 1, 1991; emergency amendment at 15 Ill. Reg. 11515, effective July 25, 1991, for a maximum of 150 days; emergency expired December 22, 1991; emergency amendment at 15 Ill. Reg. 12919, effective August 15, 1991, for a maximum of 150 days; emergency expired January 12, 1992; emergency amendment at 15 Ill. Reg. 16366, effective October 22, 1991, for a maximum of 150 days; amended at 15 Ill. Reg. 17318, effective November 18, 1991; amended at 15 Ill. Reg. 17733, effective November 22, 1991; emergency amendment at 16 Ill. Reg. 300, effective December 20, 1991, for a maximum of 150 days; amended at 16 Ill. Reg. 174, effective December 24, 1991; amended at 16 Ill. Reg. 1877, effective January 24, 1992; amended at 16 Ill. Reg. 3552, effective February 28, 1992; amended at 16 Ill. Reg. 4006, effective March 6, 1992; amended at 16 Ill. Reg. 6408, effective March 20, 1992; expedited correction at 16 Ill. Reg. 11348, effective March 20, 1992; amended at 16 Ill. Reg. 6849, effective April 7, 1992; amended at 16 Ill. Reg. 7017, effective April 17, 1992; amended at 16 Ill. Reg. 10050, effective June 5, 1992; amended at 16 Ill. Reg. 11174, effective June 26, 1992; emergency amendment at 16 Ill. Reg. 11947, effective July 10, 1992, for a maximum of 150 days; amended at 16 Ill. Reg. 12186, effective July 24, 1992; emergency amendment at 16 Ill. Reg. 13337, effective August 14, 1992, for a maximum of 150 days; emergency amendment at 16 Ill. Reg. 15109, effective September 21, 1992, for a maximum of 150 days; amended at 16 Ill. Reg. 15561, effective September 30, 1992; amended at 16 Ill. Reg. 17302, effective November 2, 1992; emergency amendment at 16 Ill. Reg. 18097, effective November 17, 1992, for a maximum of 150 days; amended at 16 Ill. Reg. 19146, effective December 1, 1992; expedited correction at 17 Ill. Reg. 7078, effective December 1, 1992; amended at 16 Ill. Reg. 19879, effective December 7, 1992; amended at 17 Ill. Reg. 837, effective January 11, 1993; amended at 17 Ill. Reg. 1112, effective January 15, 1993; amended at 17 Ill. Reg. 2290, effective February 15, 1993; amended at 17 Ill. Reg. 2951, effective February 17, 1993; amended at 17 Ill. Reg. 3421, effective February 19, 1993; amended at 17 Ill. Reg. 6196, effective April 5, 1993; amended at 17 Ill. Reg. 6839, effective April 21, 1993; amended at 17 Ill. Reg. 7004, effective May 17, 1993; emergency amendment at 17 Ill. Reg. 11201, effective July 1, 1993, for a maximum of 150 days; emergency amendment at 17 Ill. Reg. 15162, effective September 2, 1993, for a maximum of 150 days; emergency amendment suspended at 17 Ill. Reg. 18902, effective October 12, 1993; emergency amendment at 17 Ill. Reg. 18152, effective October 1, 1993, for a maximum of 150 days; amended at 17 Ill. Reg. 18571, effective October 8, 1993; emergency amendment at 17 Ill. Reg. 18611, effective October

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1, 1993, for a maximum of 150 days; amended at 17 Ill. Reg. 20999, effective November 24, 1993; emergency amendment repealed at 17 Ill. Reg. 22583, effective December 20, 1993; amended at 18 Ill. Reg. 3620, effective February 28, 1994; amended at 18 Ill. Reg. 4250, effective March 4, 1994; amended at 18 Ill. Reg. 5951, effective April 1, 1994; emergency amendment at 18 Ill. Reg. 10922, effective July 1, 1994, for a maximum of 150 days; emergency amendment suspended at 18 Ill. Reg. 17286, effective November 15, 1994; emergency amendment repealed at 19 Ill. Reg. 5839, effective April 4, 1995; amended at 18 Ill. Reg. 11244, effective July 1, 1994; amended at 18 Ill. Reg. 14126, effective August 29, 1994; amended at 18 Ill. Reg. 16675, effective November 1, 1994; amended at 18 Ill. Reg. 18059, effective December 19, 1994; amended at 19 Ill. Reg. 1082, effective January 20, 1995; amended at 19 Ill. Reg. 2933, effective March 1, 1995; emergency amendment at 19 Ill. Reg. 3529, effective March 1, 1995, for a maximum of 150 days; amended at 19 Ill. Reg. 5663, effective April 1, 1995; amended at 19 Ill. Reg. 7919, effective June 5, 1995; emergency amendment at 19 Ill. Reg. 8455, effective June 9, 1995, for a maximum of 150 days; emergency amendment at 19 Ill. Reg. 9297, effective July 1, 1995, for a maximum of 150 days; emergency amendment at 19 Ill. Reg. 10252, effective July 1, 1995, for a maximum of 150 days; amended at 19 Ill. Reg. 13019, effective September 5, 1995; amended at 19 Ill. Reg. 14440, effective September 29, 1995; emergency amendment at 19 Ill. Reg. 14833, effective October 6, 1995, for a maximum of 150 days; amended at 19 Ill. Reg. 15441, effective October 26, 1995; amended at 19 Ill. Reg. 15692, effective November 6, 1995; amended at 19 Ill. Reg. 16677, effective November 28, 1995; amended at 20 Ill. Reg. 1210, effective December 29, 1995; amended at 20 Ill. Reg. 4345, effective March 4, 1996; amended at 20 Ill. Reg. 5858, effective April 5, 1996; amended at 20 Ill. Reg. 6929, effective May 6, 1996; amended at 20 Ill. Reg. 7922, effective May 31, 1996; amended at 20 Ill. Reg. 9081, effective June 28, 1996; emergency amendment at 20 Ill. Reg. 9312, effective July 1, 1996, for a maximum of 150 days; amended at 20 Ill. Reg. 11332, effective August 1, 1996; amended at 20 Ill. Reg. 14845, effective October 31, 1996; emergency amendment at 21 Ill. Reg. 705, effective December 31, 1996, for a maximum of 150 days; emergency amendment at 21 Ill. Reg. 3734, effective March 5, 1997, for a maximum of 150 days; amended at 21 Ill. Reg. 4777, effective April 2, 1997; amended at 21 Ill. Reg. 6899, effective May 23, 1997; amended at 21 Ill. Reg. 9763, effective July 15, 1997; amended at 21 Ill. Reg. 11569, effective August 1, 1997; emergency amendment at 21 Ill. Reg. 13857, effective October 1, 1997, for a maximum of 150 days; amended at 22 Ill. Reg. 1416, effective December 29, 1997; amended at 22 Ill. Reg. 4412, effective February 27, 1998; amended at 22 Ill. Reg. 7024, effective April 1, 1998; amended at 22 Ill. Reg. 10606, effective June 1, 1998; emergency amendment at 22 Ill. Reg. 13117, effective July 1, 1998, for a maximum of 150 days; amended at 22 Ill. Reg. 16302, effective August 28, 1998; amended at 22 Ill. Reg. 18979, effective September 30, 1998; amended at 22 Ill. Reg. 19898, effective October 30, 1998; emergency

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amendment at 22 Ill. Reg. 22108, effective December 1, 1998, for a maximum of 150 days; emergency expired April 29, 1999; amended at 23 Ill. Reg. 5796, effective April 30, 1999; amended at 23 Ill. Reg. 7122, effective June 1, 1999; emergency amendment at 23 Ill. Reg. 8236, effective July 1, 1999, for a maximum of 150 days; amended at 23 Ill. Reg. 9874, effective August 3, 1999; amended at 23 Ill. Reg. 12697, effective October 1, 1999; amended at 23 Ill. Reg. 13646, effective November 1, 1999; amended at 23 Ill. Reg. 14567, effective December 1, 1999; amended at 24 Ill. Reg. 661, effective January 3, 2000; amended at 24 Ill. Reg. 10277, effective July 1, 2000; emergency amendment at 24 Ill. Reg. 10436, effective July 1, 2000, for a maximum of 150 days; amended at 24 Ill. Reg. 15086, effective October 1, 2000; amended at 24 Ill. Reg. 18320, effective December 1, 2000; emergency amendment at 24 Ill. Reg. 19344, effective December 15, 2000, for a maximum of 150 days; amended at 25 Ill. Reg. 3897, effective March 1, 2001; amended at 25 Ill. Reg. 6665, effective May 11, 2001; amended at 25 Ill. Reg. 8793, effective July 1, 2001; emergency amendment at 25 Ill. Reg. 8850, effective July 1, 2001, for a maximum of 150 days; amended at 25 Ill. Reg. 11880, effective September 1, 2001; amended at 25 Ill. Reg. 12820, effective October 8, 2001; amended at 25 Ill. Reg. 14957, effective November 1, 2001; emergency amendment at 25 Ill. Reg. 16127, effective November 28, 2001, for a maximum of 150 days; emergency amendment at 25 Ill. Reg. 16292, effective December 3, 2001, for a maximum of 150 days; emergency amendment at 26 Ill. Reg. 514, effective January 1, 2002, for a maximum of 150 days; amended at 26 Ill. Reg. 663, effective January 7, 2002; amended at 26 Ill. Reg. 4781, effective March 15, 2002; emergency amendment at 26 Ill. Reg. 5984, effective April 15, 2002, for a maximum of 150 days; amended at 26 Ill. Reg. 7285, effective April 29, 2002; emergency amendment at 26 Ill. Reg. 8594, effective June 1, 2002, for a maximum of 150 days; emergency amendment at 26 Ill. Reg. 11259, effective July 1, 2002, for a maximum of 150 days; emergency amendment at 26 Ill. Reg. 12461, effective July 29, 2002, for a maximum of 150 days; emergency amendment repealed at 26 Ill. Reg. 16593, effective October 22, 2002; emergency amendment at 26 Ill. Reg. 12772, effective August 12, 2002, for a maximum of 150 days; amended at 26 Ill. Reg. 13641, effective September 3, 2002; amended at 26 Ill. Reg. 14789, effective September 26, 2002; emergency amendment at 26 Ill. Reg. 15076, effective October 1, 2002, for a maximum of 150 days; amended at 26 Ill. Reg. 16303, effective October 25, 2002; amended at 26 Ill. Reg. 17751, effective November 27, 2002; amended at 27 Ill. Reg. 768, effective January 3, 2003; amended at 27 Ill. Reg. 3041, effective February 10, 2003; amended at 27 Ill. Reg. 4364, effective February 24, 2003; amended at 27 Ill. Reg. 7823, effective May 1, 2003; amended at 27 Ill. Reg. 9157, effective June 2, 2003; emergency amendment at 27 Ill. Reg. 10813, effective July 1, 2003, for a maximum of 150 days; amended at 27 Ill. Reg. 13784, effective August 1, 2003; amended at 27 Ill. Reg. 14799, effective September 5, 2003; emergency amendment at 27 Ill. Reg. 15584, effective September 20, 2003, for a maximum of 150 days; emergency amendment at 27 Ill. Reg. 16161, effective

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October 1, 2003, for a maximum of 150 days; amended at 27 Ill. Reg. 18629, effective November 26, 2003; amended at 28 Ill. Reg. 2744, effective February 1, 2004; amended at 28 Ill. Reg. 4958, effective March 3, 2004; emergency amendment at 28 Ill. Reg. 6622, effective April 19, 2004, for a maximum of 150 days; amended at 28 Ill. Reg. 7081, effective May 3, 2004; emergency amendment at 28 Ill. Reg. 8108, effective June 1, 2004, for a maximum of 150 days; amended at 28 Ill. Reg. 9640, effective July 1, 2004; emergency amendment at 28 Ill. Reg. 10135, effective July 1, 2004, for a maximum of 150 days; amended at 28 Ill. Reg. 11161, effective August 1, 2004; emergency amendment at 28 Ill. Reg. 12198, effective August 11, 2004, for a maximum of 150 days; amended at 28 Ill. Reg. 13775, effective October 1, 2004; amended at 28 Ill. Reg. 14804, effective October 27, 2004; amended at 28 Ill. Reg. 15513, effective November 24, 2004; amended at 29 Ill. Reg. 831, effective January 1, 2005; amended at 29 Ill. Reg. 6945, effective May 1, 2005; emergency amendment at 29 Ill. Reg. 8509, effective June 1, 2005, for a maximum of 150 days; emergency amendment at 29 Ill. Reg. 12534, effective August 1, 2005, for a maximum of 150 days; amended at 29 Ill. Reg. 14957, effective September 30, 2005; emergency amendment at 29 Ill. Reg. 15064, effective October 1, 2005, for a maximum of 150 days; emergency amendment repealed by emergency rulemaking at 29 Ill. Reg. 15985, effective October 5, 2005, for the remainder of the 150 days; emergency amendment at 29 Ill. Reg. 15610, effective October 1, 2005, for a maximum of 150 days; emergency amendment at 29 Ill. Reg. 16515, effective October 5, 2005, for a maximum of 150 days; amended at 30 Ill. Reg. 349, effective December 28, 2005; emergency amendment at 30 Ill. Reg. 573, effective January 1, 2006, for a maximum of 150 days; amended at 30 Ill. Reg. 796, effective January 1, 2006; amended at 30 Ill. Reg. 2802, effective February 24, 2006; amended at 30 Ill. Reg. 10370, effective May 26, 2006; emergency amendment at 30 Ill. Reg. 12376, effective July 1, 2006, for a maximum of 150 days; emergency amendment at 30 Ill. Reg. 13909, effective August 2, 2006, for a maximum of 150 days; amended at 30 Ill. Reg. 14280, effective August 18, 2006; expedited correction at 31 Ill. Reg. 1745, effective August 18, 2006; emergency amendment at 30 Ill. Reg. 17970, effective November 1, 2006, for a maximum of 150 days; amended at 30 Ill. Reg. 18648, effective November 27, 2006; emergency amendment at 30 Ill. Reg. 19400, effective December 1, 2006, for a maximum of 150 days; amended at 31 Ill. Reg. 388, effective December 29, 2006; emergency amendment at 31 Ill. Reg. 1580, effective January 1, 2007, for a maximum of 150 days; amended at 31 Ill. Reg. 2413, effective January 19, 2007; amended at 31 Ill. Reg. 5561, effective March 30, 2007; amended at 31 Ill. Reg. 6930, effective April 29, 2007; amended at 31 Ill. Reg. 8485, effective May 30, 2007; emergency amendment at 31 Ill. Reg. 10115, effective June 30, 2007, for a maximum of 150 days; amended at 31 Ill. Reg. 14749, effective October 22, 2007; emergency amendment at 32 Ill. Reg. 383, effective January 1, 2008, for a maximum of 150 days; peremptory amendment at 32 Ill. Reg. 6743, effective April 1, 2008; peremptory amendment suspended at 32 Ill. Reg. 8449, effective

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May 21, 2008; suspension withdrawn by the Joint Committee on Administrative Rules at 32 Ill. Reg. 18323, effective November 12, 2008; preemptory amendment repealed by emergency rulemaking at 32 Ill. Reg. 18422, effective November 12, 2008, for a maximum of 150 days; emergency expired April 10, 2009; preemptory amendment repealed at 33 Ill. Reg. 6667, effective April 29, 2009; amended at 32 Ill. Reg. 7727, effective May 5, 2008; emergency amendment at 32 Ill. Reg. 10480, effective July 1, 2008, for a maximum of 150 days; emergency expired November 27, 2008; amended at 32 Ill. Reg. 17133, effective October 15, 2008; amended at 33 Ill. Reg. 209, effective December 29, 2008; amended at 33 Ill. Reg. 9048, effective June 15, 2009; emergency amendment at 33 Ill. Reg. 10800, effective June 30, 2009, for a maximum of 150 days; amended at 33 Ill. Reg. 11287, effective July 14, 2009; amended at 33 Ill. Reg. 11938, effective August 17, 2009; amended at 33 Ill. Reg. 12227, effective October 1, 2009; emergency amendment at 33 Ill. Reg. 14324, effective October 1, 2009, for a maximum of 150 days; emergency expired February 27, 2010; amended at 33 Ill. Reg. 16573, effective November 16, 2009; amended at 34 Ill. Reg. 516, effective January 1, 2010; amended at 34 Ill. Reg. 903, effective January 29, 2010; amended at 34 Ill. Reg. 3761, effective March 14, 2010; amended at 34 Ill. Reg. 5215, effective March 25, 2010; amended at 34 Ill. Reg. 19517, effective December 6, 2010; amended at 35 Ill. Reg. 394, effective December 27, 2010; amended at 35 Ill. Reg. 7648, effective May 1, 2011; amended at 35 Ill. Reg. 7962, effective May 1, 2011; amended at 35 Ill. Reg. 10000, effective June 15, 2011; amended at 35 Ill. Reg. 12909, effective July 25, 2011; amended at 36 Ill. Reg. 2271, effective February 1, 2012; amended at 36 Ill. Reg. 7010, effective April 27, 2012; amended at 36 Ill. Reg. 7545, effective May 7, 2012; amended at 36 Ill. Reg. 9113, effective June 11, 2012; emergency amendment at 36 Ill. Reg. 11329, effective July 1, 2012 through June 30, 2013; emergency amendment to Section 140.442(e)(4) suspended at 36 Ill. Reg. 13736, effective August 15, 2012; suspension withdrawn from Section 140.442(e)(4) at 36 Ill. Reg. 14529, September 11, 2012; emergency amendment in response to Joint Committee on Administrative Rules action on Section 140.442(e)(4) at 36 Ill. Reg. 14820, effective September 21, 2012 through June 30, 2013; emergency amendment to Section 140.491 suspended at 36 Ill. Reg. 13738, effective August 15, 2012; suspension withdrawn by the Joint Committee on Administrative Rules from Section 140.491 at 37 Ill. Reg. 890, January 8, 2013; emergency amendment in response to Joint Committee on Administrative Rules action on Section 140.491 at 37 Ill. Reg. 1330, effective January 15, 2013 through June 30, 2013; amended at 36 Ill. Reg. 15361, effective October 15, 2012; emergency amendment at 37 Ill. Reg. 253, effective January 1, 2013 through June 30, 2013; emergency amendment at 37 Ill. Reg. 846, effective January 9, 2013 through June 30, 2013; emergency amendment at 37 Ill. Reg. 1774, effective January 28, 2013 through June 30, 2013; emergency amendment at 37 Ill. Reg. 2348, effective February 1, 2013 through June 30, 2013; amended at 37 Ill. Reg. 3831, effective March 13, 2013; emergency amendment at 37 Ill. Reg. 5058, effective April 1, 2013 through June 30,

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2013; emergency amendment at 37 Ill. Reg. 5170, effective April 8, 2013 through June 30, 2013; amended at 37 Ill. Reg. 6196, effective April 29, 2013; amended at 37 Ill. Reg. 7985, effective May 29, 2013; amended at 37 Ill. Reg. 10282, effective June 27, 2013; amended at 37 Ill. Reg. 12855, effective July 24, 2013; emergency amendment at 37 Ill. Reg. 14196, effective August 20, 2013, for a maximum of 150 days; amended at 37 Ill. Reg. 17584, effective October 23, 2013; amended at 37 Ill. Reg. 18275, effective November 4, 2013; amended at 37 Ill. Reg. 20339, effective December 9, 2013; amended at 38 Ill. Reg. 859, effective December 23, 2013; emergency amendment at 38 Ill. Reg. 1174, effective January 1, 2014, for a maximum of 150 days; amended at 38 Ill. Reg. 4330, effective January 29, 2014; amended at 38 Ill. Reg. 7156, effective March 13, 2014; amended at 38 Ill. Reg. 12141, effective May 30, 2014; amended at 38 Ill. Reg. 15081, effective July 2, 2014; emergency amendment at 38 Ill. Reg. 15673, effective July 7, 2014, for a maximum of 150 days; emergency amendment at 38 Ill. Reg. 18216, effective August 18, 2014, for a maximum of 150 days; amended at 38 Ill. Reg. 18462, effective August 19, 2014; amended at 38 Ill. Reg. 23623, effective December 2, 2014; amended at 39 Ill. Reg. 4394, effective March 11, 2015; emergency amendment at 39 Ill. Reg. 6903, effective May 1, 2015 through June 30, 2015; emergency amendment at 39 Ill. Reg. 8137, effective May 20, 2015, for a maximum of 150 days; emergency amendment at 39 Ill. Reg. 10427, effective July 10, 2015, for a maximum of 150 days; emergency expired December 6, 2015; amended at 39 Ill. Reg. 12825, effective September 4, 2015; amended at 39 Ill. Reg. 13380, effective September 25, 2015; amended at 39 Ill. Reg. 14138, effective October 14, 2015; emergency amendment at 40 Ill. Reg. 13677, effective September 16, 2016, for a maximum of 150 days; amended at 41 Ill. Reg. _____, effective _____.

SUBPART A: GENERAL PROVISIONS

Section 140.3 Covered Services Under Medical Assistance Programs

- a) As described in this Section, medical services shall be covered for:
 - 1) recipients of financial assistance under the AABD (Aid to the Aged, Blind or Disabled), TANF (Temporary Assistance to Needy Families), or Refugee/Entrant/Repatriate program~~programs~~;
 - 2) recipients of medical assistance only under the AABD program (AABD-MANG);
 - 3) recipients of medical assistance only under the TANF program (TANF-

DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES

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MANG);

- 4) individuals under age 18 not eligible for TANF (see Section 140.7), pregnant women who would be eligible if the child were born and pregnant women and children under age eight who do not qualify as mandatory categorically needy (see Section 140.9);
 - 5) disabled persons under age 21 who may qualify for Medicaid or in-home care under the Illinois Home and Community-Based Services Waiver for Medically Fragile Technology Dependent Children;
 - 6) individuals 19 years of age or older eligible under the KidCare Parent Coverage Waiver as described at 89 Ill. Adm. Code 120.32, except for:
 - A) Services provided only through a waiver approved under section 1915(c) of the Social Security Act; and
 - B) Termination of pregnancy;
 - 7) beginning January 1, 2014, ACA Adults as described in 89 Ill. Adm. Code 120.10(h). Notwithstanding any rule to the contrary in Title 89, the services that shall be covered are services for which the Department obtains federal approval and receives federal matching funds; and
 - 8) beginning January 1, 2014, Former Foster Care as described in 89 Ill. Adm. Code 120.10(i).
- b) The following medical services shall be covered for recipients under age 21 who are included under subsection (a):
- 1) Inpatient hospital services;
 - 2) Hospital outpatient and clinic services;
 - 3) Hospital emergency room visits. The visit must be for the alleviation of severe pain or for immediate diagnosis and/or treatment of conditions or injuries ~~that~~^{which} might result in disability or death if there is not

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- immediate treatment;
- 4) Encounter rate clinic visits;
 - 5) Physician services;
 - 6) Pharmacy services;
 - 7) Home health agency visits;
 - 8) Laboratory and x-ray services;
 - 9) Group care services;
 - 10) Family planning services and supplies;
 - 11) Medical supplies, equipment, prostheses and orthoses, and respiratory equipment and supplies;
 - 12) Transportation to secure medical services;
 - 13) EPSDT services pursuant to Section 140.485;
 - 14) Dental services;
 - 15) Chiropractic services;
 - 16) Podiatric services;
 - 17) Optical services and supplies;
 - 18) Subacute alcoholism and substance abuse services pursuant to Sections 140.390 through 140.396;
 - 19) Hospice services;
 - 20) Nursing care pursuant to Section 140.472;

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- 21) Nursing care for the purpose of transitioning children from a hospital to home placement or other appropriate setting pursuant to 89 Ill. Adm. Code 146, Subpart D;
 - 22) Telehealth services pursuant to Section 140.403; ~~and~~
 - 23) Preventive services; ~~and~~
 - 24) Licensed Clinical Social Worker services; and
 - 25) Licensed Clinical Psychologist services.
- c) Effective July 1, 2012, the following medical services shall be covered for recipients age 21 or over who are included under subsection (a):
- 1) Inpatient hospital services;
 - 2) Hospital outpatient and clinic services;
 - 3) Hospital emergency room visits. The visit must be for the alleviation of severe pain or for immediate diagnosis and/or treatment of conditions or injuries ~~that~~~~which~~ might result in disability or death if there is not immediate treatment;
 - 4) Encounter rate clinic visits;
 - 5) Physician services;
 - 6) Pharmacy services;
 - 7) Home health agency visits;
 - 8) Laboratory and x-ray services;
 - 9) Group care services;

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- 10) Family planning services and supplies;
- 11) Medical supplies, equipment, prostheses and orthoses, and respiratory equipment and supplies;
- 12) Transportation to secure medical services;
- 13) Subacute alcoholism and substance abuse services pursuant to Sections 140.390 through 140.396;
- 14) Hospice services;
- 15) Dental services, pursuant to Section 140.420;
- 16) Podiatric services, pursuant to Section 140.425 for individuals with a diagnosis of diabetes;
- 17) Optical services and supplies;
- 18) Telehealth services pursuant to Section 140.403; ~~and~~
- 19) Preventive services; ~~and~~
- 20) Licensed Clinical Social Worker services; and
- 21) Licensed Clinical Psychologist services.

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

SUBPART D: PAYMENT FOR NON-INSTITUTIONAL SERVICES

Section 140.400 Payment to Practitioners

- a) This Section applies to physicians, dentists, Advanced Practice Nurses (APN) (see Section 140.435), optometrists, podiatrists, ~~and~~ chiropractors, ~~and~~ Licensed Clinical Psychologists (LCP) (see Section 140.423) and Licensed Clinical Social Workers (LCSW) (see Section 140.424).

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- 1) Practitioners are required to bill the Medical Assistance Program at the same rate they charge patients paying their own bills and patients covered by other third party payers.
 - 2) A practitioner may bill only for services he or she personally provides or ~~that which~~ are provided, under his or her direct supervision, ~~in his or her office~~ by his or her staff. An APN, as described in Section 140.435, LCP, as described in Section 140.423, or LCSW, as described in Section 140.424, may bill only for the services he or she personally provided, ~~by the individual APN.~~
 - 3) Payment will be made only in the practitioner's name or a Department approved alternate payee.
 - 4) Except as described otherwise in this Section, payments will be made according to a schedule of statewide pricing screens established by the Department, except that LCP and LCSW will be reimbursed for covered services at 75% of the physician reimbursement rate. Covered services provided by qualifying providers under the Maternal and Child Health Program will be reimbursed at enhanced rates as described in subsection (b) ~~of this Section~~. The pricing screens are to be established based on consideration of the market value of the service. In considering the market value, the Department will examine the costs of operations and material. Input from advisory groups designated by statute, generally recognized provider interest groups and the general public will be taken into consideration in determining the allocation of available funds to rate adjustments. Increases in rates are contingent upon funds appropriated by the General Assembly. Reductions or increases may be affected by changes in the market place or changes in funding available for the Medical Assistance Program. Screens will be related to the average statewide charge. Except as described otherwise in this Section, the upper limit for services shall not exceed the lowest Medicare charge levels.
- b) Practitioners who meet the qualifications for and enter into a Primary Care Provider Agreement for participation in the Maternal and Child Health Program, as described in Subpart G, will receive enhanced reimbursement in accordance

DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES

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with Section 140.930(a)(1).

- c) For services rendered on or after June 1, 2013, a practitioner (radiologist) that meets the qualifications for and participates in the Department's Breast Cancer Quality Screening and Treatment Initiative shall be paid for mammography services at the effective Chicago Metropolitan Area Medicare Level established rate (Established Rate). To qualify for this Established Rate, a practitioner shall:
 - 1) Enter into a Supplemental Provider Agreement with the Department; and
 - 2) Provide mammography services to participants in the Department's Medical Programs with the same timeliness as the practitioner provides to patients with other forms of insurance; and
 - 3) Within 30 days after submitting the Supplemental Provider Agreement, and annually thereafter on or before August 31, submit a completed radiologist survey, using the Department's survey form; and
 - 4) Assist the Department with the development and implementation of improved quality standards and services.
- d) The Department will distribute (initially and upon revision of the amounts) to practitioners the maximum allowable amounts for the most commonly billed procedures codes. Interested individuals may request a copy of the maximum allowable amounts from the Department by directing the request to the Bureau of Comprehensive Health Services, Prescott E. Bloom Building, 201 South Grand Avenue East, Springfield, Illinois 62763-0001. In addition, a participating individual practitioner may request the maximum allowable amounts for less commonly billed specific procedures that relate to the individual's practice. This request must be in writing and identify specific procedure codes and associated descriptions.
- e) Supplemental payments to universities for certain practitioner services
 - 1) Supplemental payments are available for services that are provided by practitioners who are employed by an Illinois public university and are services eligible under Titles XIX and XXI of the Social Security Act.

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- A) For dates of service on or after April 1, 2009, supplemental payment will be made on a quarterly basis as described in this subsection (e).
 - B) Supplemental payments under this subsection (e) are subject to federal approval.
 - C) Supplemental payments shall be funded through cooperative agreements between the Department and the State university.
- 2) Definitions
- A) "Average Commercial Fee Schedule" means the average commercial fee schedule paid to the university for practitioner services, including patient share amounts, for each CPT code. This average shall be based on the participating university's payments from the five largest private insurance carriers for CPT services.
 - B) "Base Period Average Commercial Payment Ceiling" means the following computation:
 - i) Multiplying the Average Commercial Fee Schedule by the number of paid claims provided in the base period and paid to the university for clients eligible under Titles XIX and XXI of the Social Security Act.
 - ii) Summing the products for all procedure codes as described in subsection (e)(2)(B)(i).
 - C) "Base Period Medicare Equivalent Payment Ceiling" means the following computation:
 - i) Multiplying the Medicare allowed rate as reported in the April release of the Resources Based Relative Value Scale (RBRVS), by the number of paid claims provided in the

DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES

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based period and paid to the university for clients eligible under Title XIX or XXI of the Social Security Act.

- ii) Summing the products for all procedure codes as described in subsection (e)(2)(C)(i) of this Section.
 - D) "Base Period Medicare Equivalent of the Average Commercial Rate" means the Base Period Average Commercial Payment Ceiling divided by the Base Period Medicare Equivalent Payment Ceiling.
- 3) The supplemental payments shall be determined as follows:
- A) The Medicare Equivalent of the Average Commercial Rate for a practitioner service will be determined by multiplying the Base Period Medicare Equivalent of the Average Commercial Rate by the Medicare payment at the non-facility rate per CPT code for the current period.
 - B) The rates determined in subsection (e)(3)(A) are multiplied by the number of claims for the current period, as reported through the Medicaid Management Information System, to determine the current period supplemental payment ceiling.
 - C) The supplemental payment to the university shall equal the current period payment ceiling at the Medicare Equivalent of the Average Commercial Rate less all payments otherwise made by the Department for the same services for procedure codes rendered in the current period and paid to the university. These supplemental payments shall be based on all available payments and adjustments on file with the Department at the time the payment amount is determined.
- 4) Periodic Updates to the Base Period Medicare Equivalent of the Average Commercial Rate: The Department shall update this ratio at least every three years.

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

Section 140.423 Licensed Clinical Psychologist Services

- a) For purposes of enrollment in the Medical Assistance Program, a Licensed Clinical Psychologist (LCP) means a person who is licensed and is legally authorized under State law or rule to practice as a Licensed Clinical Psychologist, pursuant to the Clinical Psychologist Licensing Act [225 ILCS 15] and implementing rules (68 Ill. Adm. Code 1400).
- b) Effective with dates of service January 1, 2017 and after, payment shall be made to LCPs for the following services:
- 1) Psychological and neuropsychological testing;
 - 2) Diagnostic evaluation;
 - 3) Therapeutic services provided in the office, home or community setting:
 - A) Individual psychotherapy; or
 - B) Family or group psychotherapy for which the purpose is the treatment of the patient. Group psychotherapy services must meet the guidelines set forth in Section 140.462(c)(2) and (d)(2).
- c) LCPs may prescribe medications in accordance with the following:
- 1) Hold a current prescribing psychologist license as defined in Section 4.2 of the Clinical Psychologist Licensing Act;
 - 2) Have and maintain a current written collaborative agreement with a collaborating physician as set forth in Section 4.3 of the Clinical Psychologist Licensing Act. Agreements must be updated, maintained on file at each practice location, and be available upon the Department's request.

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- 3) The collaborating physician is not required to be enrolled with the Department. However, the collaborating physician may not be terminated, suspended or barred by the Department from participating in the Medical Assistance Program.
- 4) The LCP must notify the Department within 10 business days if an agreement is dissolved or if a change occurs in the collaborating physician under the agreement.
- 5) All prescriptions must meet the requirements set forth in Section 140.414.
- d) Payment shall not be made for the following services:
 - 1) Services identified in Section 140.6;
 - 2) Self-administered or self-scored tests of cognitive function; and
 - 3) Biofeedback therapy.

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

Section 140.424 Licensed Clinical Social Worker Services

- a) For purposes of enrollment in the Medical Assistance Program, a Licensed Clinical Social Worker (LCSW) means a person who is licensed and is legally authorized under State law or rule to practice as a Licensed Clinical Social Worker, pursuant to the Clinical Social Work and Social Work Practice Act [225 ILCS 20] and implementing rules (68 Ill. Adm. Code 1470).
- b) Effective with dates of service January 1, 2017 and after, payment shall be made to LCSWs for the following services:
 - 1) Diagnostic evaluation; and
 - 2) Therapeutic services provided in the office, home or community setting:
 - A) Individual psychotherapy; or

DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES

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B) Family or group psychotherapy for which the purpose is the treatment of the patient. Group psychotherapy services must meet the guidelines set forth in Section 140.462(c)(2) and (d)(2).

c) Payment shall not be made for services identified in Section 140.6.

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

DEPARTMENT OF INSURANCE

NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: Insurance Department Consumer Complaints
- 2) Code Citation: 50 Ill. Adm. Code 926
- 3)

<u>Section Numbers:</u>	<u>Proposed Actions:</u>
926.20	Amendment
926.40	Amendment
- 4) Statutory Authority: Implementing Sections 133, 149, 404(1)(a), 421, and 424 of the Illinois Insurance Code [215 ILCS 5/133, 149, 404(1)(a), 421, and 424] and authorized by Section 401 of the Illinois Insurance Code [215 ILCS 5/401]
- 5) A Complete Description of the Subjects and Issues Involved: This amendment will address the Department's ability to share information related to a complaint against an insurer, insurance producer, or other entity licensed or registered pursuant to chapter 215 of the Illinois Compiled Statutes with criminal justice agencies for investigation or prosecution, or to State regulatory agencies for regulatory action, where Department believes the reported conduct constitutes a violation of laws or regulations.
- 6) Any published studies or reports, along with the sources of underlying data, that were used when comprising this rulemaking, in accordance with 1 Ill. Adm. Code 100.355:
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 will not require a local government to establish, expand or modify its activities in such a way as to necessitate additional expenditures from local revenues.

DEPARTMENT OF INSURANCE

NOTICE OF PROPOSED AMENDMENTS

- 12) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Persons who wish to comment on this proposed rulemaking may submit written comments no later than 45 days after the publication of this Notice to:

Barbara Delano
Assistant General Counsel
Illinois Department of Insurance
122 S. Michigan Ave, 19th Fl
Chicago IL 60603

or Susan Anders
Rules Coordinator
Illinois Department of Insurance
320 W. Washington St.
Springfield IL 62767

312/814-0919
fax: 312/814-2826

217/558-0957

- 13) Initial Regulatory Flexibility Analysis:
- A) Types of small businesses, small municipalities and not-for-profit corporations affected:
Not applicable
- B) Reporting, bookkeeping or other procedures required for compliance: Not applicable
- C) Types of professional skills necessary for compliance: Not applicable
- 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 INSURANCE

NOTICE OF PROPOSED AMENDMENTS

TITLE 50: INSURANCE
 CHAPTER I: DEPARTMENT OF INSURANCE
 SUBCHAPTER I: PROVISIONS APPLICABLE TO ALL COMPANIES

PART 926
 INSURANCE DEPARTMENT CONSUMER COMPLAINTS

Section

926.10	Authority
926.20	Scope
926.30	Purpose
926.40	Complaint Handling Procedure
926.50	Maintenance of Complaint Records
926.60	Severability Provision (Repealed)
926.70	Effective Date (Repealed)

926.EXHIBIT A Complaint Record

926.EXHIBIT B Explanation

AUTHORITY: Implementing Sections 133, 149, 404(1)(a), 421, and 424 of the Illinois Insurance Code [215 ILCS 5/133, 149, 404(1)(a), 421, and 424] and authorized by Section 401 of the Illinois Insurance Code [215 ILCS 5/401].

SOURCE: Filed December 2, 1976, effective January 1, 1977; codified at 7 Ill. Reg. 2361; amended at 23 Ill. Reg. 5695, effective May 3, 1999; amended at 41 Ill. Reg. _____, effective _____.

Section 926.20 Scope

This Part 926 shall apply to any insurance company licensed to do business in this State ~~that~~which is transacting the kind or kinds of business described as Class 1, Class 2, or Class 3 in Section 4 of the Illinois Insurance Code [215 ILCS 5/4] (Code). This Part also applies to any entity that the Director of Insurance licenses, registers or grants a Certificate of Authority under Chapter 215 of the Illinois Compiled Statutes, and to any insurance producer licensed under Article XXXI of the ~~Illinois Insurance~~ Code. Complaint files are deemed, by the Illinois Department of Insurance (Department), to be confidential records and will ~~not~~ be released only ~~to~~unless such person or organization is either the complainant and/or the party against whom the

DEPARTMENT OF INSURANCE

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complaint has been filed, a criminal justice agency, law enforcement entity, or other appropriate governmental agency.

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

Section 926.40 Complaint Handling Procedure

- a) Notification and Response Requirements
- When a complaint is received by the Department ~~of Insurance~~ against an insurer, insurance producer, or other entity identified in Section 926.20 ~~of this Part~~ (respondent), the respondent shall be notified of the complaint. The Department will, in its notification, specify the date when a report is to be received from the respondent, which, in most instances, will be 21 calendar days after notification is sent to the respondent.
- b) Contents of Response or Report or Both
- 1) Each respondent shall supply adequate documentation ~~that~~~~which~~ explains all actions taken or not taken and ~~that~~~~which~~ were the basis for the complaint;
 - 2) Documents necessary to support the respondent's position, or information requested by the Department, shall be furnished with the respondent's reply;
 - 3) The respondent's reply shall be in duplicate, but duplicate copies of supporting documents are not required;
 - 4) The respondent's reply shall include the name, telephone number and address of the individual assigned to the complaint;
 - 5) The Department will respect the confidentiality of medical reports and other documents ~~that~~~~which~~ by law, are confidential. Any other information furnished by a respondent shall be marked "confidential" if the respondent does not wish it to be released to the complainant; and
 - 6) The complaint and all documents submitted with the complaint or in

DEPARTMENT OF INSURANCE

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response to the complaint are deemed confidential and will not be released to third parties, except to provide that information to a criminal justice agency for investigation or prosecution, or, if the Department's investigation reveals that the conduct reported may be in violation of other laws or regulations, the Department may provide the information to the appropriate governmental agency charged with administering those laws and regulations.

c) Follow-up or Conclusion

Upon receipt of the respondent's report, the Department ~~of Insurance~~ insurance analyst will evaluate the material submitted and:

- 1) Advise the complainant of the action taken and disposition of the complaint; or
- 2) Pursue further investigation with the respondent or complainant; or
- 3) Refer the complaint file to the appropriate Division within the Department ~~of Insurance~~ for further regulatory action.

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

DEPARTMENT OF INSURANCE

NOTICE OF PROPOSED AMENDMENT

- 1) Heading of the Part: Accident and Health Reserves
- 2) Code Citation: 50 Ill. Adm. Code 2004
- 3) Section Number: 2004.10 Proposed Action: Amendment
- 4) Statutory Authority: Implementing Sections 223 and 353a and authorized by Section 401 of the Illinois Insurance Code [215 ILCS 5/223, 353a, and 401]
- 5) A Complete Description of the Subjects and Issues Involved: 215 ILCS 5/223 was recently amended to establish the Valuation Manual as the source for valuation standards effective January 1, 2017. Accident and health reserve valuation standards will be maintained in the Valuation Manual. Part 2004 currently references the Accounting Practices and Procedures Manual published by the NAIC as the source for the Accident and Health reserving standards. The standards have been moved to the Valuation Manual by the NAIC. The proposed changes to Part 2004 will establish the Valuation Manual as the source for the reserving standards for accident and health insurance effective January 1, 2017 instead of the Accounting Practices and Procedures Manual.
- 6) Any published studies or reports, along with the sources of underlying data, that were used when comprising this rulemaking, in accordance with 1 Ill. Adm. Code 100.355: 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? Yes, it incorporates 215 ILCS 5/223 and the Valuation Manual.
- 10) Are there any other rulemakings pending on this Part? No
- 11) Statement of Statewide Policy Objective: This rulemaking will not require a local government to establish, expand or modify its activities in such a way as to necessitate additional expenditures from local revenues.

DEPARTMENT OF INSURANCE

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- 12) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Persons who wish to comment on this proposed rulemaking may submit written comments no later than 45 days after the publication of this Notice to:
- | | | |
|--|----|--|
| Robert Planthold
Assistant General Counsel
Illinois Department of Insurance
122 S. Michigan Ave, 19th Fl
Chicago IL 60603

312/814-5445
fax: 312/814-2862 | or | Susan Anders
Rules Coordinator
Illinois Department of Insurance
320 W. Washington St.
Springfield IL 62767

217/558-0957 |
|--|----|--|
- 13) Initial Regulatory Flexibility Analysis:
- A) Types of small businesses, small municipalities and not-for-profit corporations affected: Small insurers transacting in this State the kinds of business enumerated in clause (b) of Class 1 and clause (a) of Class 2 of Section 4 of the Code [215 ILCS 5/4], and it applies to all accident and health policies for which reserve standards are prescribed under Sections 223 and 353a of the Code.
- B) Reporting, bookkeeping or other procedures required for compliance: This amendment clarifies prior requirements and provides changes to requirements for the reserve calculation for policies issued and claims incurred after the effective date.
- C) Types of professional skills necessary for compliance: The amendment deals with reserves, so actuarial skills would be necessary for compliance.
- 14) Regulatory Agenda on which this rulemaking was summarized: July 2016

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

DEPARTMENT OF INSURANCE

NOTICE OF PROPOSED AMENDMENT

TITLE 50: INSURANCE
 CHAPTER I: DEPARTMENT OF INSURANCE
 SUBCHAPTER z: ACCIDENT AND HEALTH INSURANCE

PART 2004
 ACCIDENT AND HEALTH RESERVES

Section

2004.5	Authority
2004.7	Definitions
2004.10	Application, and Effective <u>Dates and Incorporations by Reference Date</u>
2004.20	Active Life Reserves – Individual Policies
2004.30	Active Life Reserves – Group Policies
2004.40	Claim Reserves – Present Value of Amounts Not Yet Due on Claims
2004.50	Policies Issued Prior to Operative Date of Section 353a

AUTHORITY: Implementing Sections 223 and 353a and authorized by Section 401 of the Illinois Insurance Code [215 ILCS 5/223, 353a and 401].

SOURCE: Filed December 14, 1965, effective December 28, 1965; codified at 7 Ill. Reg. 4219; amended at 26 Ill. Reg. 3074, effective February 19, 2002; transferred from the Department of Insurance to the Department of Financial and Professional Regulation pursuant to Executive Order 2004-6 on July 1, 2004; amended at 30 Ill. Reg. 19360, effective November 29, 2006; amended at 32 Ill. Reg. 13191, effective July 25, 2008; recodified from the Department of Financial and Professional Regulation to the Department of Insurance pursuant to Executive Order 2009-04 at 39 Ill. Reg. 2804; amended at 40 Ill. Reg. 211, effective December 31, 2015; amended at 40 Ill. Reg. 10471, effective July 22, 2016; amended at 41 Ill. Reg. _____, effective _____.

Section 2004.10 Application, ~~and~~ Effective Dates and Incorporations by Reference Date

- a) This Part applies to all companies transacting in this State the kinds of business enumerated in clause (b) of Class 1 and clause (a) of Class 2 of Section 4 of the Code ~~[215 ILCS 5/4]~~, and it applies to all accident and health policies for which reserve standards are prescribed under Section 353a of the Code. The original standards created in this Part applied through 2001. ~~From~~ Starting in 2002 through 2016, the applicable standards ~~were have been~~ those prescribed by the National

DEPARTMENT OF INSURANCE

NOTICE OF PROPOSED AMENDMENT

Association of Insurance Commissioners (NAIC) in the Accounting Practices and Procedures Manual (APPM) ~~(2301 McGee Street, Suite 800, Kansas City MO 64108-2662)~~. Pursuant to Section 223 of the Code, starting in 2017, the applicable standards are those prescribed by the NAIC in the Valuation Manual (VM). ~~The incorporations by reference of the APPM included in subsection (b) include no later amendments or editions.~~

- b) Incorporations by Reference APPM Applicability Dates
- 1) National Association of Insurance Commissioners, 1100 Walnut Street, Suite 1500, Kansas City MO 64106-2277
 - A1) Policies issued and claims incurred on or after January 1, 2002 and before November 29, 2006 are subject to the standards prescribed in the March 2001 APPM.
 - B2) Policies issued and claims incurred on or after November 29, 2006 and before July 25, 2008 are subject to the standards prescribed in the March 2006 APPM.
 - C3) Policies issued and claims incurred on or after July 25, 2008 and before December 31, 2015 are subject to the standards prescribed in the March 2008 APPM.
 - D4) Policies issued and claims incurred on or after December 31, 2015 and before January 1, 2017 are subject to the standards prescribed in the March 2016 APPM.
 - E) Policies issued and claims incurred on or after January 1, 2017 are subject to the standards prescribed in the August 29, 2016 VM as directed in Section 223 of the Code.
 - 2) The incorporations by reference stated in subsection (b)(1) include no later amendments or editions.
- c) For claims incurred on or after January 1, 2002 and before January 1, 2017~~December 31, 2015~~, the insurer may elect to calculate reserves for all open

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claims using a more recent standard required by subsection (b), but once a more recent standard is elected, all future valuations must be on that basis.

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

DEPARTMENT OF INSURANCE

NOTICE OF PROPOSED AMENDMENT

- 1) Heading of the Part: Personal Information Privacy Protection
- 2) Code Citation: 50 Ill. Adm. Code 4002
- 3) Section Number: 4002.50 Proposed Action: Amendment
- 4) Statutory Authority: Implementing Article XXVI and Article XL of the Illinois Insurance Code [215 ILCS 5/Arts. XXVI and XL], and Title V of the Gramm-Leach-Bliley Act (15 USC 6801 through 6827) and authorized by Section 401 and Article XL of the Illinois Insurance Code [215 ILCS 5/401 and Art. XL]
- 5) A Complete Description of the Subjects and Issues Involved: On December 4, 2015, the Gramm Leach Bliley Act was amended to eliminate the requirement for financial institutions to provide annual notices of their privacy policies provided certain conditions are met such as the issuance of an initial notice, joint marketing, and transaction processing and servicing. The rule change contains these new federal exemptions.
- 6) Any published studies or reports, along with the sources of underlying data, that were used when comprising this rulemaking, in accordance with 1 Ill. Adm. Code 100.355: 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 will not require a local government to establish, expand or modify its activities in such a way as to necessitate additional expenditures from local revenues.
- 12) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Persons who wish to comment on this proposed rulemaking may submit written comments no later than 45 days after the publication of this Notice to:

DEPARTMENT OF INSURANCE

NOTICE OF PROPOSED AMENDMENT

James Rundblom, Deputy General Counsel or
Department of Insurance
320 West Washington, 4th Floor
Springfield IL 62767-0001

Susan Anders, Rules Coordinator
Department of Insurance
320 West Washington, 4th Floor
Springfield IL 62767-0001

217/785-8559
fax: 217/524-9033

217/558-0957

- 13) Initial Regulatory Flexibility Analysis:
- A) Types of small businesses, small municipalities and not-for-profit corporations affected: None. Financial institutions will no longer be required to provide the duplicative privacy policy notices where there has been the issuance of an initial notice, joint marketing, or for transaction processing and servicing.
 - B) Reporting, bookkeeping or other procedures required for compliance: None. There will be less bookkeeping in that there will be fewer instances where the privacy policy notices are required.
 - C) Types of professional skills necessary for compliance: None. The amendment will reduce the instances where privacy policy notices are required, so there will be less need for administrative skills to prepare and send the notices.
- 14) Regulatory Agenda on which this rulemaking was summarized: This rulemaking was not included on either of the 2 most recent agendas because it was not anticipated within that timeframe.

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

DEPARTMENT OF INSURANCE

NOTICE OF PROPOSED AMENDMENT

TITLE 50: INSURANCE

CHAPTER I: DEPARTMENT OF INSURANCE

SUBCHAPTER tt: INSURANCE INFORMATION AND PRIVACY PROTECTION

PART 4002

PERSONAL INFORMATION PRIVACY PROTECTION

Section

4002.10	Purpose
4002.20	Applicability
4002.30	Definitions
4002.35	Treatment of Individual's Information Under Group Policies
4002.40	Initial Privacy Notice to Consumers
4002.50	Annual Privacy Notice to Customers
4002.60	Information to be Included in Privacy Notices
4002.70	Form of Opt Out Notice to Consumers and Opt Out Methods
4002.80	Revised Privacy Notices
4002.90	Delivery of Notices
4002.100	Limits on Disclosure of Nonpublic Personal Financial Information to Nonaffiliated Third Parties
4002.110	Limits on Redisclosure and Reuse of Nonpublic Personal Financial Information
4002.120	Limits on Sharing Account Number Information for Marketing Purposes
4002.130	Exception to Opt Out Requirements for Disclosure of Nonpublic Personal Financial Information for Service Providers and Joint Marketing
4002.140	Exceptions to Notice and Opt Out Requirements for Disclosure of Nonpublic Personal Financial Information for Processing and Servicing Transactions
4002.150	Other Exceptions to Notice and Opt Out Requirements for Disclosure of Nonpublic Personal Financial Information
4002.200	Nondiscrimination
4002.210	Enforcement
4002.220	Penalty
4002.230	Severability
4002.235	Protection of Fair Credit Reporting Act
4002.240	Effective Date

4002.ILLUSTRATION A

Sample Clauses

DEPARTMENT OF INSURANCE

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AUTHORITY: Implementing Article XXVI and Article XL of the Illinois Insurance Code [215 ILCS 5/Arts. XXVI and XL], and Title V of the Gramm-Leach-Bliley Act (15 USC 6801 through 6827) and authorized by Section 401 and Article XL of the Illinois Insurance Code [215 ILCS 5/401 and Art. XL].

SOURCE: Adopted at 25 Ill. Reg. 7176, effective July 1, 2001; amended at 41 Ill. Reg. _____, effective _____.

Section 4002.50 Annual Privacy Notice to Customers

- a) A licensee shall provide a clear and conspicuous notice to customers that accurately reflects its privacy policies and practices not less than annually during the continuation of the customer relationship. Annually means at least once in any period of 12-consecutive months during which that relationship exists. A licensee may define the 12-consecutive-month period, but the licensee shall apply it to the customer on a consistent basis. If a licensee defines the 12-consecutive-month period as a calendar year and a customer opens an account on any day of year 1, the licensee shall provide an annual notice to that customer by December 31 of year 2.
- b) Termination of customer relationship. A licensee is not required to provide an annual notice to a former customer. For the purposes of this Part, a former customer is an individual with whom a licensee no longer has a continuing relationship, which includes, but is not limited to, when:
 - 1) The individual no longer is a current policyholder of an insurance product or no longer obtains insurance services with or through the licensee;
 - 2) The individual's policy is lapsed, expired or otherwise inactive or dormant under the licensee's business practices, and the licensee has not communicated with the customer about the relationship for a period of 12-consecutive months, other than to provide annual privacy notices, material required by law or regulation, or promotional materials;
 - 3) The individual's last known address according to the licensee's records is deemed invalid. An address of record is deemed invalid if mail sent to that address by the licensee has been returned by the postal authorities as

DEPARTMENT OF INSURANCE

NOTICE OF PROPOSED AMENDMENT

undeliverable and if subsequent attempts by the licensee to obtain a current valid address for the individual have been unsuccessful; or

- 4) In the case of providing real estate settlement services, at the time the customer completes execution of all documents related to the real estate closing, payment for those services has been received, or the licensee has completed all of its responsibilities with respect to the settlement, including filing documents on the public record, whichever is later.
- c) Delivery. When a licensee is required by this Section to deliver an annual privacy notice, the licensee shall deliver it according to Section 4002.90 ~~of this Part~~.
- d) Affiliated Licensee. ~~The Such~~ annual notice may be provided by an affiliated licensee, as long as the notice clearly identifies all licensees to which the notice applies or states that it applies to all affiliates of the named licensee, and is accurate with respect to the licensee and other institutions and would otherwise meet the requirements of this Part.
- e) Exemptions. Provision of the annual privacy notice required under this Section shall not be required when the licensee:
 - 1) Provides nonpublic personal information to nonaffiliated third parties only in accordance with Sections 4002.130, 4002.140 and 4002.150.
 - 2) Has not changed its policies and practices with regard to disclosing nonpublic personal information from the policies that were disclosed in the most recent disclosure sent to consumers in accordance with Section 4002.40.
- f) At any time a licensee fails to comply with any of the criteria described in subsection (e), the licensee shall be required to provide the annual privacy notice required in this Section.
- g) All licensees shall continue to be required to provide the initial privacy notices requires by Section 4002.40.

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

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- 1) Heading of the Part: Sport Fishing Regulations for the Waters of Illinois
- 2) Code Citation: 17 Ill. Adm. Code 810
- 3)

<u>Section Numbers:</u>	<u>Proposed Actions:</u>
810.15	Amendment
810.25	New Section
810.35	Amendment
810.37	Amendment
810.45	Amendment
810.70	Amendment
810.90	Amendment
- 4) Statutory Authority: Implementing and authorized by Sections 1-120, 1-125, 1-150, 5-5, 10-5, 10-10, 10-15, 10-20, 10-25, 10-30, 10-35, 10-45, 10-50, 10-60, 10-75, 10-90, 10-95, 15-50, 20-5, 20-35 and 25-5 of the Fish and Aquatic Life Code [515 ILCS 5/1-120, 1-125, 1-150, 5-5, 10-5, 10-10, 10-15, 10-20, 10-25, 10-30, 10-35, 10-45, 10-50, 10-60, 10-75, 10-90, 10-95, 15-50, 20-5, 20-35, 25-5, and 5/5-15]
- 5) A Complete Description of the Subjects and Issues Involved: This Part is being amended to update site specific regulations.
- 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 affect units of local government.

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- 12) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Comments on the proposed rulemaking may be submitted in writing for a period of 45 days following publication of this Notice to:

Anne Mergen, Legal Counsel
Department of Natural Resources
One Natural Resources Way
Springfield IL 62702-1271

217/782-6899

- 13) Initial Regulatory Flexibility Analysis:
- A) Types of small businesses, small municipalities and not-for-profit corporations affected: None
 - B) Reporting, bookkeeping or other procedures required for compliance: None
 - C) Types of professional skills necessary for compliance: None
- 14) Regulatory Agenda on which this rulemaking was summarized: July 2016

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

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NOTICE OF PROPOSED AMENDMENTS

TITLE 17: CONSERVATION
CHAPTER I: DEPARTMENT OF NATURAL RESOURCES
SUBCHAPTER b: FISH AND WILDLIFEPART 810
SPORT FISHING REGULATIONS FOR THE WATERS OF ILLINOIS

Section	
810.5	Definitions
810.10	Sale of Fish and Fishing Seasons – Statewide
810.14	Wanton Waste – Fish Abandonment
810.15	Statewide and Site Specific Bowfishing (Archery/Spear Methods) Regulations
810.20	Snagging
810.25	Trotlines
810.30	Pole and Line Fishing Only (Repealed)
810.35	Statewide Sportfishing (Hook and Line and Other Non-Bowfishing or Non-Snagging Legal Methods Under a Sportfishing License) Regulations – Daily Harvest and Size Limits
810.37	Definitions for Site Specific Sportfishing Regulations
810.40	Daily Harvest and Size Limits (Repealed)
810.45	Site Specific Water Area Regulations
810.50	Bait Fishing
810.60	Bullfrogs (Repealed)
810.70	Free Fishing Days
810.80	Emergency Protective Procedures
810.90	Fishing Tournament Permit
810.100	Bed Protection

AUTHORITY: Implementing and authorized by Sections 1-120, 1-125, 1-150, 5-5, 10-5, 10-10, 10-15, 10-20, 10-25, 10-30, 10-35, 10-45, 10-50, 10-60, 10-75, 10-90, 10-95, 15-50, 20-5, 20-35 and 25-5 of the Fish and Aquatic Life Code [515 ILCS 5/1-120, 1-125, 1-150, 5-5, 10-5, 10-10, 10-15, 10-20, 10-25, 10-30, 10-35, 10-45, 10-50, 10-60, 10-75, 10-90, 10-95, 15-50, 20-5, 20-35, 25-5, and 5/5-15].

SOURCE: Adopted at 5 Ill. Reg. 751, effective January 8, 1981; codified at 5 Ill. Reg. 10647; amended at 6 Ill. Reg. 342, effective December 23, 1981; amended at 6 Ill. Reg. 7411, effective June 11, 1982; amended at 7 Ill. Reg. 209, effective December 22, 1982; amended at 8 Ill. Reg.

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1564, effective January 23, 1984; amended at 8 Ill. Reg. 16769, effective August 30, 1984; amended at 9 Ill. Reg. 2916, effective February 26, 1985; emergency amendment at 9 Ill. Reg. 3825, effective March 13, 1985, for a maximum of 150 days; emergency expired August 10, 1985; amended at 9 Ill. Reg. 6181, effective April 24, 1985; amended at 9 Ill. Reg. 14291, effective September 5, 1985; amended at 10 Ill. Reg. 4835, effective March 6, 1986; amended at 11 Ill. Reg. 4638, effective March 10, 1987; amended at 12 Ill. Reg. 5306, effective March 8, 1988; emergency amendment at 12 Ill. Reg. 6981, effective April 4, 1988, for a maximum of 150 days; emergency expired September 1, 1988; emergency amendment at 12 Ill. Reg. 10525, effective June 7, 1988, for a maximum of 150 days; emergency expired November 4, 1988; amended at 12 Ill. Reg. 15982, effective September 27, 1988; amended at 13 Ill. Reg. 8419, effective May 19, 1989; emergency amendment at 13 Ill. Reg. 12643, effective July 14, 1989, for a maximum of 150 days; emergency expired December 11, 1989; emergency amendment at 13 Ill. Reg. 14085, effective September 4, 1989, for a maximum of 150 days; emergency expired February 1, 1990; emergency amendment at 13 Ill. Reg. 15118, effective September 11, 1989, for a maximum of 150 days; emergency expired February 8, 1990; amended at 14 Ill. Reg. 6164, effective April 17, 1990; emergency amendment at 14 Ill. Reg. 6865, effective April 17, 1990, for a maximum of 150 days; emergency expired September 19, 1990; amended at 14 Ill. Reg. 8588, effective May 21, 1990; amended at 14 Ill. Reg. 16863, effective October 1, 1990; amended at 15 Ill. Reg. 4699, effective March 18, 1991; emergency amendment at 15 Ill. Reg. 5430, effective March 27, 1991, for a maximum of 150 days; emergency expired August 24, 1991; amended at 15 Ill. Reg. 9977, effective June 24, 1991; amended at 15 Ill. Reg. 13347, effective September 3, 1991; amended at 16 Ill. Reg. 5267, effective March 20, 1992; emergency amendment at 16 Ill. Reg. 6016, effective March 25, 1992, for a maximum of 150 days; emergency expired August 22, 1992; amended at 16 Ill. Reg. 12526, effective July 28, 1992; amended at 17 Ill. Reg. 3853, effective March 15, 1993; emergency amendment at 17 Ill. Reg. 5915, effective March 25, 1993, for a maximum of 150 days; emergency expired August 22, 1993; amended at 17 Ill. Reg. 10806, effective July 1, 1993; amended at 18 Ill. Reg. 3277, effective February 28, 1994; emergency amendment at 18 Ill. Reg. 5667, effective March 25, 1994, for a maximum of 150 days; amended at 18 Ill. Reg. 12652, effective August 9, 1994; amended at 19 Ill. Reg. 2396, effective February 17, 1995; emergency amendment at 19 Ill. Reg. 5262, effective April 1, 1995, for a maximum of 150 days; amended at 19 Ill. Reg. 10614, effective July 1, 1995; amended at 20 Ill. Reg. 4640, effective March 6, 1996; recodified by changing the agency name from Department of Conservation to Department of Natural Resources at 21 Ill. Reg. 9389; amended at 21 Ill. Reg. 4709, effective April 1, 1997; emergency amendment at 21 Ill. Reg. 5590, effective April 15, 1997, for a maximum of 150 days; amended at 21 Ill. Reg. 12140, effective August 26, 1997; amended at 22 Ill. Reg. 4930, effective March 2, 1998; amended at 23 Ill. Reg. 3434, effective March 8, 1999; emergency amendment at 23 Ill.

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Reg. 7317, effective June 10, 1999, for a maximum of 150 days; amended at 23 Ill. Reg. 8406, effective July 7, 1999; amended at 24 Ill. Reg. 3736, effective February 25, 2000; amended at 25 Ill. Reg. 6296, effective March 26, 2001; emergency amendment at 25 Ill. Reg. 7947, effective June 16, 2001, for a maximum of 150 days; emergency amendment at 25 Ill. Reg. 9912, effective August 1, 2001, for a maximum of 150 days; amended at 25 Ill. Reg. 11386, effective August 14, 2001; emergency amendment at 25 Ill. Reg. 12122, effective September 15, 2001, for a maximum of 150 days; amended at 26 Ill. Reg. 1210, effective January 16, 2002; amended at 26 Ill. Reg. 4294, effective March 6, 2002; amended at 27 Ill. Reg. 3376, effective February 14, 2003; amended at 28 Ill. Reg. 4607, effective March 1, 2004; amended at 29 Ill. Reg. 3955, effective February 24, 2005; amended at 30 Ill. Reg. 4810, effective March 1, 2006; amended at 31 Ill. Reg. 3480, effective February 16, 2007; emergency amendment at 31 Ill. Reg. 8265, effective May 25, 2007, for a maximum of 150 days; amended at 31 Ill. Reg. 14432, effective October 5, 2007; amended at 32 Ill. Reg. 3302, effective February 25, 2008; amended at 33 Ill. Reg. 5275, effective March 25, 2009; amended at 34 Ill. Reg. 6391, effective April 20, 2010; amended at 35 Ill. Reg. 4011, effective February 22, 2011; amended at 36 Ill. Reg. 5461, effective March 22, 2012; amended at 37 Ill. Reg. 6658, effective May 1, 2013; amended at 37 Ill. Reg. 16426, effective October 3, 2013; emergency amendment at 38 Ill. Reg. 13022, effective June 9, 2014, for a maximum of 150 days; amended at 39 Ill. Reg. 6517, effective April 27, 2015; amended at 40 Ill. Reg. 6000, effective March 25, 2016; amended at 41 Ill. Reg. _____, effective _____.

Section 810.15 Statewide and Site Specific Bowfishing (Archery/Spear Methods) Regulations

- a) Legal Methods of Taking
Carp, catfish, buffalo, suckers, gar, shad, drum and bowfin may be taken by means of a pitchfork, underwater spear gun, bow and arrow or bow and arrow device, spear or gig. Each person taking fish by these means shall possess a valid sport fishing license. Fish taken by these means shall not be sold or bartered. No other fish may be taken in this State by these means. *It is unlawful to discharge any gun or bow and arrow device along, upon, across or from any public right-of-way or highway in this State.* [520 ILCS 5/2.33(r)]
- b) Species of Fish and Harvest Limit
 - 1) Only fish species listed may be taken by bowfishing and other legal methods and in accordance with harvest limits identified for each. Fish

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species permitted to be taken by bowfishing and other archery/spear fishing legal methods in Illinois waters include:

A) Order Lepisosteiformes

Family Lepisosteidae (Native Species):

Spotted gar – *Lepisosteus oculatus* (Winchell)

Longnose gar – *Lepisosteus osseus* (Linnaeus)

Shortnose gar – *Lepisosteus platostomus* (Rafinesque)

Alligator Gar – *Atractosteus spatula* (Lacepede) native

B) Order Amiiformes

Family Amiidae (Native Species):

Bowfin – *Amia calva* (Linnaeus)

C) Order Cypriniformes

Family Cyprinidae (Non-Native Species):

Grass carp – *Ctenopharyngodon idella* (Valenciennes)

Common carp – *Cyprinus carpio* (Linnaeus)

Silver carp – *Hypophthalmichthys molitrix* (Valenciennes)

Bighead carp – *Hypophthalmichthys nobilis* (Richardson)

Goldfish – *Carassius auratus* (Linnaeus)

Black Carp – *Mylopharyngodon piceus*

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Family Catostomidae (Native Species):

River carpsucker – *Carpionodes carpio* (Rafinesque)

Quillback carpsucker – *Carpionodes cyprinus* (Lesueur)

Highfin carpsucker – *Carpionodes velifer* (Rafinesque)

White sucker – *Catostomus commersoni* (Lacepede)

Blue sucker – *Cyprinella elongata* (Lesueur)

Smallmouth buffalo – *Ictiobus bubalus* (Rafinesque)

Bigmouth buffalo – *Ictiobus cyprinellus* (Valenciennes)

Black buffalo – *Ictiobus niger* (Rafinesque)

Spotted sucker – *Minytrema melanops* (Rafinesque)

Silver redhorse – *Moxostoma anisurum* (Rafinesque)

Black redhorse – *Moxostoma duquesnei* (Lesueur)

Golden redhorse – *Moxostoma erythrurum* (Rafinesque)

Shorthead redhorse – *Moxostoma macrolepidotum*
(Lesueur)

Family Sciaenidae (Native Species):

Freshwater drum – *Aplodinotus grunniens* (Rafinesque)

Family Clupeidae (Native Species):

Gizzard shad – *Dorosoma cepedianum* (Lesueur)

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D) Order SiluriformesFamily Ictaluridae:Channel catfish – Ictalurus punctatusBlue catfish – Ictalurus furcatusFlathead catfish – Pylodictis olivarisYellow bullhead – Ameiurus natalisBrown bullhead – Ameiurus nebulosusBlack bullhead – Ameiurus melas

- 2) All non-native fish species (legal to take with bowfishing methods) have an unlimited harvest limit.
- c) Asian Carp (Non-Native Species)
No live possession of Asian carp species is permitted. Bowfishing and other legal methods are not permitted in waters listed in the Site Specific Regulations in Section 810.45 as "2 pole and line fishing only", unless otherwise stated in the Site Specific Regulations.
- d) Waters Open to Bowfishing and Other Legal Archery and Spearfishing Methods
It is unlawful to discharge any gun or bow and arrow device along, upon, across or from any public right-of-way or highway in this State [520 ILCS 5/2.33(r)].
- 1) Illinois waters open to bowfishing and other legal methods include all public rivers and streams noted in 17 Ill. Adm. Code 3704. Appendix A, except as restricted by subsections (d)(3) through (14).
 - 2) All public site specific waters as noted in Section 810.45.

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- 3) Catfish species may only be taken in rivers and connected public (wholly accessible by boat) backwaters (see list in Section 810.15) as noted in subsections (d)(4) through (15).
- 4) Mississippi River connected public (wholly accessible by boat) backwaters, including that portion of the Kaskaskia River below the navigation lock and dam, except:
- A) Quincy Bay, including Quincy Bay Waterfowl Management Area.
 - B) Spring Lake in the Upper Mississippi River Wildlife and Fish Refuge.
 - C) Mark Twain U.S. Fish and Wildlife Service National Wildlife Refuge Waters (except by special permit).
- 54) Illinois River and connected public (wholly accessible by boat) backwaters from Route 89 highway bridge downstream, except for:
- A) U.S. Fish and Wildlife National Refuge Waters.
 - ~~B) Donnelly/DePue Fish and Wildlife Area.~~
 - ~~C) Rice Lake Complex, including all of Big Lake.~~
 - B~~D~~) Meredosia Lake in Cass and Morgan Counties during the central zone duck season.
 - C~~E~~) Clear Lake in Mason County 7 days prior to and during the central zone duck season.
 - D~~F~~) Route 89 highway bridge to Starved Rock Dam for the commercial removal of Asian carp only by a limited number of restricted period contracts.
- 65) Wabash River.

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- ~~76~~) Embarras River, except from Route 130 in Coles County upstream to the Harrison Street Bridge, including Lake Charleston.
- ~~87~~) Sangamon River, downstream of Belt Route 48 southwest of Decatur to mouth in Cass County.
- ~~98~~) Kaskaskia River south of Route U.S. 50 Bridge to mouth in Randolph County.
- ~~109~~) Little Wabash River.
- ~~1140~~) Big Muddy River south of State Route 14 highway bridge in Franklin County to mouth in Jackson County.
- ~~1244~~) Skillet Fork.
- ~~1342~~) Cache River from Route 51 downstream to the Mississippi River via Cache Diversion Channel, but not including that portion of the Cache River between the Cache Diversion Channel Levee and the Ohio River.
- ~~1443~~) Saline River in Gallatin and Saline Counties.
- ~~1544~~) Ohio River, except for:
- A) Lock and Dam 52 downstream to a line perpendicular with the end of the longest lock wall, including the circular cell portion.
 - B) Lock and Dam 53 downstream to a line perpendicular with the end of the longest lock wall, including the circular cell portion.
 - C) Smithland Dam downstream to a line perpendicular to the end of the outer lock wall.
 - D) Within 50 yards of the mouth of any tributary or stream.

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

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Section 810.25 Trotlines

- a) Sportfishermen must check trotlines and other legal hook and line devices at least once every 24 hours.
- b) Trotlines and other sportfishing devices left unattended must be tagged with the name and mailing address of the operator. All required tags shall be in a position to be at all times exposed to public view. [515 ILCS 5/10-95]

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

Section 810.35 Statewide Sportfishing (Hook and Line and Other Non-Bowfishing or Non-Snagging Legal Methods Under a Sportfishing License) Regulations – Daily Harvest and Size Limits

- a) Length is measured from the tip of the snout to the end of the tail with the fish laid flat on a ruler, with the mouth of the fish closed and the tail lobes pressed together.
- b) No fish species may be dressed (filleted or head and tail removed) on any waters to which length or bag limits are applicable. Regardless of where taken, no fish less than the specified minimum length or more than the daily harvest shall be possessed while taking from, or on, any waters to which length or bag limits and/or daily harvest limits apply. While taking from areas designated as "Catch and Release Only", all harvest and release species must be immediately released back into the waters from which taken.
- c) Statewide limits by type of fish:
 - 1) Channel Catfish
There are no daily harvest or size limits except in those waters listed under Site Specific Regulations.
 - 2) Largemouth Bass, Smallmouth Bass, Spotted Bass
 - A) Daily harvest limit is 6 bass, either singly or in the aggregate, except as specified under Site Specific Regulations.

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- B) In streams and rivers (excluding the mainstem of the Mississippi, Ohio, including the Golconda Marina and Wabash Rivers) the daily harvest can contain no more than 3 smallmouth bass.
 - C) In rivers and their tributaries statewide, except for the Mississippi, Ohio, including the Golconda Marina, Wabash and Illinois Rivers, [Calumet River, Lake Calumet Connecting Channel, Calumet Sag Channel and navigable portions of the Grand Calumet River and Little Calumet River](#), all smallmouth bass must be immediately released between April 1 and June 15.
 - D) There is no statewide size limit.
- 3) Muskellunge, Northern Pike and Their Hybrids
- A) All muskellunge and muskellunge hybrids (tiger muskie) taken must be 36" in total length or longer, except as specified under Site Specific Regulations.
 - B) No more than one muskellunge or muskellunge hybrid (tiger muskie) may be taken per day, except as specified under Site Specific Regulations.
 - C) All northern pike taken must be 24" in total length or longer, except in the Mississippi River and Ohio River where there is no size limit.
 - D) No more than 3 northern pike may be taken per day, except as specified under Site Specific Regulations.
- 4) Crappie (White, Black or Hybrid Crappie)
There are no harvest or size limits except in those waters listed under Site Specific Regulations.
- 5) Bluegill and Redear Sunfish
There are no harvest or size limits except in those waters listed under Site

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Specific Regulations.

- 6) Striped Bass (Ocean Rockfish), White Bass, Yellow Bass and Hybrids
There are no daily harvest limits or minimum size limits for striped bass (ocean rockfish), white bass, yellow bass and their hybrids, which are less than 17" in total length, except in those waters listed under Site Specific Regulations. For those fish 17" in total length or longer, the daily limit is 3 fish, either singly or in the aggregate, except in the Mississippi River between Illinois and Missouri where there is a 30 fish daily harvest limit for all striped, white, yellow or hybrid striped bass. In the Mississippi River between Illinois and Iowa, there is a 25 fish daily harvest on striped bass, white bass, yellow bass and their hybrids, either singly or in the aggregate.
 - 7) Trout and Salmon
Daily harvest limit is 5 trout or salmon, either singly or in the aggregate.
 - 8) Walleye, Sauger or their Hybrid
 - A) All walleye, sauger, or their hybrid (saugeye) taken must be 14" in total length or longer, except in the Mississippi River, Ohio River, Wabash River, or as specified under Site Specific Regulations.
 - B) Daily harvest limit is 6 walleye, sauger or their hybrid, either singly or in the aggregate, except in those waters listed under Site Specific Regulations.
 - 9) Paddlefish
Daily harvest limit is 2 paddlefish.
 - 10) Injurious Species
For injurious species, as described in 17 Ill. Adm. Code 805, there are no harvest or size limits. Possession of live specimens, progeny thereof, viable eggs, or gametes is prohibited.
- d) The limits established in this Part on the number and size of fish a person may take in a day do not apply to a person fishing in waters wholly within his or her

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private property. [515 ILCS 5/10-150]

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

Section 810.37 Definitions for Site Specific Sportfishing Regulations

- a) Site Specific Regulations are listed by water area affected. The coverage of the regulation is dictated by the extent of the water area listed and not by the county. In some cases, regulations for a given water area or site may extend beyond the counties listed. The counties listed refer to the location of the dam or outfall for impoundments or mouths of small streams. Since large rivers or streams usually flow through many counties, the term "Multiple" is used rather than listing all counties where the large stream or river flows.
- b) The following subsections are referred to by number in Section 810.45. Each water area listed in Section 810.45 has numbers in parentheses that explain all of the restrictions or special provisions in this Section that apply to that water area.
 - 1) Anglers must not use more than 2 poles and each pole must not have more than 2 hooks or lures attached (Alabama rigs not allowed) while fishing, except that legal size cast nets (in accordance with Section 810.50(a)(1)), shad scoops, and minnow seines may be used to obtain shad, minnows and crayfish to use as bait, provided that they are not sold, and except that bullfrogs may be taken by hand, gig, pitchfork, spear, landing net and hook and line during bullfrog season.
 - 2) All jugs set in a body of water shall be under the immediate supervision of the fisherman. Immediate supervision shall be defined as the fisherman being on the water where the jugs are set and readily available to identify jugs to law enforcement officers.
 - 3) All largemouth and smallmouth bass taken must be less than 12" in total length or greater than or equal to 15" in total length.
 - 4) Sport fishermen shall be allowed to use trotlines, jugs, and by hand, except that anglers may not submerge any pole or similar object to take or locate any fish and the use and aid of underwater breathing devices is prohibited.

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West of Wolf Creek Road, fishing from boats is permitted all year. Trotlines/jugs must be removed from sunrise until sunset from Memorial Day through Labor Day. East of Wolf Creek Road, fishing from boats is permitted from March 15 through September 30. Fishing from the bank is permitted all year only at the Wolf Creek and Route 148 causeways. On the entire lake, jugs and trotlines must be checked daily and must be removed on the last day they are used. It is illegal to use stakes to anchor any trotlines; they must be anchored only with portable weights and must be removed on the last day they are used. The taking of carp, carpsuckers, shad, drum, buffalo, gar, bowfin and suckers with spear, gig, bow and arrow or archery device is permissible.

- 5) Sport fishermen may take carp, carpsuckers, buffalo, gar, bowfin and suckers by pitchfork, gigs, bow and arrow or bow and arrow devices.
- 6) Sport fishing is allowed in the Fox River south of the Illinois-Wisconsin line to the Algonquin Dam and the Nippersink Creek upstream to the Wilmot Road Bridge.
- 7) Sport fishermen may take carp, buffalo, suckers and gar by bow and arrow or bow and arrow devices, gigs or spears during May and June.
- 8) Daily harvest limit includes striped bass, white bass, yellow bass and hybrid striped bass either singly or in the aggregate.
- 9) Catch and Release Fishing Only means that fish (all or identified species) caught must be immediately released alive and in good condition back into the water from which they came.
- 10) It shall be illegal to possess trout during the period of October 1 to 5 a.m. on the third Saturday in October (both dates inclusive) that were caught during that period.
- 11) It shall be illegal to possess trout during the period of March 15 to 5 a.m. on the 1st Saturday in April (both dates inclusive) that were caught during that period.

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- 12) Daily harvest limit for largemouth or smallmouth bass, either singly or in the aggregate, shall not exceed 6 fish ~~per day~~, no more than one of which shall be greater than or equal to 15" in total length. ~~Fish and none of which shall be~~ greater than or equal to 12" and less than ~~or equal to~~ 15" in total length are protected and may not be harvested.
- 13) Jug fishing is permitted from the hours of sunset to sunrise and carp and buffalo may be taken by bow and arrow devices from May 1 through September 30. All jugs must have owner's/user's name and complete address affixed.
- 14) Daily harvest limit includes all fish species (either singly or in the aggregate) caught within each of the following fish groupings.
 - A) Largemouth or smallmouth bass
 - B) Walleye, sauger, or their hybrid
 - C) Bluegill, redear sunfish or pumpkinseed
 - D) Channel or blue catfish
- 15) Daily harvest limit includes white, black or hybrid crappie either singly or in the aggregate.
- 16) Daily harvest limit includes striped bass, white bass and hybrid striped bass either singly or in the aggregate.
- 17) Daily harvest limit shall not exceed 10 fish, no more than 3 of which may be greater than or equal to 17" total in length.
- 18) Clinton Lake – Sport fishermen shall be allowed to use trotlines, jugs and bank poles in the portions of the lake that lie north of the Route 54 Railroad Bridge and northeast of the Route 48 Bridge. Sport fishermen may take carp, carpsuckers and buffalo by bow and arrow, bow and arrow devices, gigs and spears on the entire lake, but not within 150 feet of any boat ramp, dock, beach or other developed recreation areas. All jugs and

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trotlines set in a body of water shall be under the immediate supervision of the angler.

- 19) It shall be unlawful to enter upon a designated duck hunting area between sunset of the Sunday immediately preceding opening day of regular duck season through the day before regular duck season and Canada goose season as posted at the site, or to fish on such areas during the regular duck season except in areas posted as open to fishing. It shall be unlawful to enter upon areas designated as waterfowl rest areas or refuges from two weeks prior to the start of the regular duck season through the end of duck and Canada goose season.
- 20) Carlyle Lake (including its tributary streams and those portions of the Kaskaskia River and Hurricane Creek up to the U.S. Army Corps of Engineers Carlyle Lake Project boundaries), U.S. Army Corps of Engineers, Bond, Clinton and Fayette Counties. Does not include the tailwaters. Sport fishermen may not use a minnow seine, cast net or shad scoop for bait collecting between U.S. Route 50 and the Carlyle Lake dam and spillway.
- 21) Lake Shelbyville (including its tributary streams and those portions of the West Okaw and Kaskaskia Rivers up to Lake Shelbyville Project boundaries – including parts of the Lake Shelbyville Fish and Wildlife Management Area), U.S. Army Corps of Engineers, Shelby and Moultrie Counties. Does not include the tailwater except for the 48" total length and live bait rig requirement for muskellunge (see subsections (b)(40) and (43)).
- 22) Rend Lake (including its tributary streams and those portions of the Big Muddy and Casey Fork Rivers up to the Rend Lake Project boundaries), Rend Lake Project Ponds, U.S. Army Corps of Engineers, Franklin and Jefferson Counties. Does not include tailwaters. Sport fishermen may not use a minnow seine, cast net, or shad scoop for bait collecting within 1,000 yards downstream of the Rend Lake Dam and Spillway.
- 23) Daily harvest limit for black, white or hybrid crappies, singly or in the aggregate, shall not exceed 20 fish, no more than 10 of which may be less

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than 10" in total length and no more than 10 of which may be greater than or equal to 10" in total length.

- 24) 15" minimum length limit for walleye with no possession of walleye greater than or equal to 20" and less than 27" in total length – protected slot limit.
- 25) Daily harvest limit for largemouth or smallmouth bass, singly or in the aggregate, shall not exceed 3 fish, no more than one of which may be greater than or equal to 15" in total length and no more than 2 of which may be less than 15" in total length.
- 26) Lake Vermilion – Trotline and jug fishing allowed north of Boiling Springs Road.
- 27) Bank fishing is prohibited. Boat fishing is permitted May 1 through August 31 during the hours of 2:00 p.m. to 8:00 p.m. See site for additional regulations and exact opening and closing dates.
- 28) Trotlines may be set within 300 feet from shore.
- 29) Carp, buffalo, suckers and carpsuckers may be taken by means of pitchfork and gigs (no bow and arrow devices).
- 30) Fishing is permitted from March 15 through September 30, both dates inclusive, from sunrise to sunset. Fishing during all other times of the year is illegal and not permitted.
- 31) Daily harvest limit for largemouth or smallmouth bass, singly or in the aggregate, shall not exceed 3 fish per day, no more than one of which may be greater than or equal to 15" in total length and no more than 2 of which may be less than 12" in total length.
- 32) Daily harvest limit of striped bass, white bass, yellow bass and hybrid striped bass, singly or in the aggregate, shall not exceed 4 fish per day that must be greater than or equal to 15" in length.

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- 33) It shall be unlawful to trespass upon a designated waterfowl hunting area during the 7 days prior to the regular duck season, or to fish on such areas during the regular duck and Canada goose season except in areas posted as open to fishing. It shall be unlawful to trespass upon areas designated as waterfowl rest areas or refuges from 2 weeks prior to the start of the regular duck season through the end of duck and Canada goose season.
- 34) Sport fishermen may harvest carp, buffalo, suckers and gar by bow and arrow or bow and arrow devices, gigs or spears from May 1 through August 31.
- 35) 14" minimum length limit for walleye, sauger or hybrid walleye, either singly or in the aggregate, with no possession of fish greater than or equal to 18" and less than 24" in total length. There is a 4 fish daily harvest limit of which only one can be greater than or equal to 24" in total length.
- 36) Sport fishermen may not use a minnow seine, minnow trap, cast net or shad scoop for bait collecting in the following water areas:
- Charleston Lower Channel Lake tailwaters from that portion of the Embarras River from the Charleston Lower Channel Lake Dam downstream to the Route 130 Bridge.
- Clinton Lake tailwaters from that portion of Salt Creek from the Clinton Dam downstream to the Route 10 Bridge
- Cook County Forest Preserve District Waters (except in the Des Plaines River)
- Lake Decatur tailwaters from that portion of the Sangamon River from the Lake Decatur Dam downstream to the Route 48 Bridge.
- 37) Daily harvest limit for smallmouth bass shall not exceed 3 fish, no more than one of which may be greater than or equal to 18" in total length and 2 may be less than 12" in total length.
- 38) Daily harvest limit for largemouth and smallmouth bass, either singly or in

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the aggregate, shall not exceed 6 fish per day, no more than one of which may be greater than or equal to 18" in total length and 5 may be less than 14".

- 39) Powerton Lake shall be closed to boat traffic, except for legal waterfowl hunters, from one week prior to regular waterfowl season to February 15, and closed to all unauthorized entry during the regular goose and duck season.

- 40) The 48 inch total length limit on pure muskellunge applies to that body of water listed as well as any tailwaters as defined below:

Evergreen Lake (McLean County) – including the portion of Six Mile Creek below the Evergreen Lake Dam downstream to its confluence with the Mackinaw River.

Fox Chain O' Lakes (Lake/McHenry Counties) – including the Fox River south of the Wisconsin-Illinois boundary to the Algonquin Dam and the Nippersink Creek upstream to the Wilmot Road Bridge.

Kinkaid Lake (Jackson County) – including the portion of Kinkaid Creek below the Kinkaid Lake Dam downstream to the Route 149 Bridge.

Lake Shelbyville (Moultrie/Shelby Counties) – including the portion of the Kaskaskia River below the Lake Shelbyville Dam downstream to the State Route 128 Road Bridge near Cowden.

Otter Lake (Macoupin County) – including the portion of Otter Creek below Otter Lake Dam downstream to its confluence with East Otter Creek.

Pierce Lake (Winnebago County) – including the portion of Willow Creek below the Pierce Lake Dam downstream to Forest Hills Road.

~~Spring Lakes (North and South) (Tazewell County) – no tailwaters.~~

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- 41) It shall be unlawful to enter upon areas designated as waterfowl hunting areas during the 10 days prior to the start of the regular duck season, or to fish on such areas during the regular duck season except in areas posted as open to fishing. It shall be unlawful to enter upon areas designated as waterfowl rest areas or refuges from 10 days prior to the start of the regular duck season through the end of duck and Canada goose season.
- 42) During duck season, walk-in only access for fishing from the bank is permitted after 1:00 p.m.
- 43) When using live bait, all live bait in excess of 8" in total length shall be rigged with a quick set rig. The hook shall be immediately set upon the strike. A quick set rig is defined as follows: a live bait rig with up to 2 treble hooks attached anywhere on the live bait; single hooks are prohibited. This subsection (b)(43) does not apply to trotlines, jug lines, etc., if allowed on the lake.
- 44) Sport fishermen may take carp from boat by bow and arrow and bow and arrow devices, but not within 150 feet of any developed recreation areas.
- 45) Sport fishermen may take carp, buffalo, suckers and gar by bow and arrow devices, gigs or spears (except during waterfowl season) but not within 200 yards of any developed recreational areas.
- 46) Daily harvest limit for largemouth and smallmouth bass, either singly or in the aggregate, shall not exceed 3 fish, no more than 1 of which may be greater than or equal to 18" in total length and 2 may be less than 12" in total length.
- 47) 14" minimum length limit for walleye, sauger or hybrid walleye, either singly or in the aggregate, with no possession of fish greater than or equal to 18" or less than 26" in total length. There is a 3 fish daily harvest limit of which only 1 fish can be greater than or equal to 26" in total length.
- 48) Sport fishermen may take carp, buffalo, suckers and gar by bow and arrow or bow and arrow devices, gigs or spears, except when closed under site regulations (17 Ill. Adm. Code 110) and posted on site.

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- 49) Length limit regulation exemptions for fishing tournaments may be allowed for any fish species found in water body.
- 50) Daily harvest limit for largemouth or smallmouth bass, singly or in the aggregate, shall not exceed 3 fish daily, no more than one of which may be greater than or equal to 18" in total length and no more than 2 of which may be less than 14" in total length.
- 51) Lake Decatur, (including all boundaries within the City of Decatur) from the dam to the Sangamon River at Macon County Highway 25 (North Oakley Road) and the area west of Baltimore Ave. Does not include the tailwater.
- 52) [Daily harvest for muskellunge shall not exceed 1 fish greater than or equal to 36", but less than 42", or 1 fish greater than or equal to 48" in total length.](#)

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

Section 810.45 Site Specific Water Area Regulations

Fishing regulations, including species of fish, fishing methods and Daily Harvest Limits are listed for each water area. The numbers in parenthesis refer to the corresponding numbered definitions in Section 810.37. If a water area is not listed or if a specific species is not listed, then statewide restrictions apply. Check the bulletin boards and regulation signs at the specific site for any emergency changes to regulations.

Altamont Reservoir, City of Altamont
Effingham County

Large or Smallmouth Bass (14)

- 15" Minimum Length Limit
- 1 Fish Daily Harvest Limit

Anderson Lake Fish and Wildlife Area (33)
Fulton County**Andover Lake, City of Andover**

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Henry County

All Fish

- 2 Pole and Line Fishing Only (1)

Channel Catfish

- 6 Fish Daily Harvest Limit

Anna City Lake, City of Anna

Union County

All Fish

- 2 Pole and Line Fishing Only (1)

Bluegill or Redear Sunfish (14)

- 8" Minimum Length Limit
- 10 Fish Daily Harvest Limit

Channel Catfish

- 6 Fish Daily Harvest Limit

Large or Smallmouth Bass (14)

- 15" Minimum Length Limit
- 3 Fish Daily Harvest Limit

Apple River (within Apple River Canyon State Park and Satellite Boundaries), State of Illinois

Jo Daviess County

All Fish

- 2 Pole and Line Fishing Only (1)

Smallmouth Bass

- Catch and Release Fishing Only (9)

Trout

- Spring Closed Season (11). No harvest with Hook and Line Fishing. Catch and Release Fishing permitted. (9)
- Fall Closed Season (10) No harvest with Hook and Line Fishing; Catch and Release Fishing permitted. (9)

Argyle Lake, Argyle Lake State Park

McDonough County

Recreational Use Restrictions

- All live bait > 8" must be rigged with a quick set rig (43)

All Fish

- 2 Pole and Line Fishing Only (1)

Bluegill or Redear Sunfish (14)

- 25 Fish Daily Harvest Limit

Channel Catfish

- 6 Fish Daily Harvest Limit

Hybrid Walleye

- 3 Fish Daily Harvest Limit

Large or Smallmouth Bass (14)

- Protected Slot Length Limit of 14-18" ± Fish ≥ 15" and/or 5 fish < 12" (12)

Pure Muskellunge

- 36 Fish Daily Harvest Limit

Trout

- 42" Minimum Length Limit

- Fall Closed Season (10)

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- White, Black, or Hybrid Crappie (15)
- ~~25+0~~ Fish Daily Harvest Limit with no more than 10 Fish greater than or equal to 10"
 - ~~9" Minimum Length Limit~~

Arrowhead Heights Lake, Village of Camp Point

Adams County

- All Fish
 - Channel Catfish
 - Large or Smallmouth Bass (14)
- 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Harvest Limit
 - 15" Minimum Length Limit
 - 3 Fish Daily Harvest Limit

Arrowhead Lake, City of Johnston City

Williamson County

- All Fish
 - Channel Catfish
 - Large or Smallmouth Bass
- 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Harvest Limit
 - Protected Slot Length Limit With 1 Fish ≥greater than or equal to 15" and/or 2 Fish ≤less than 12" Daily Harvest (31)
 - 15 Fish Daily Harvest Limit
- White, Black, or Hybrid Crappie (15)

Ashland City Old Reservoir, City of Ashland

Morgan County

- All Fish
 - Channel Catfish
- 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Harvest Limit

Ashland City Reservoir, City of Ashland

Morgan County

- All Fish
 - Bluegill or Redear Sunfish (14)
 - Channel Catfish
- 2 Pole and Line Fishing Only (1)
 - 10 Fish Daily Harvest Limit
 - 6 Fish Daily Harvest Limit

Auburn Park Lagoon, Chicago Park District

Cook County

- All Fish
 - Channel Catfish
- 2 Pole and Line Fishing Only (1)
 - 4 Fish Daily Harvest Limit

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Axehead Lake, Cook County Forest Preserve

Cook County

- All Fish • 2 Pole and Line Fishing Only (1) (36)
- Bluegill, Redear, or Pumpkinseed • 15 Fish Daily Harvest Limit
- Sunfish (14)
- Large or Smallmouth Bass • 14" Minimum Length Limit
- Trout • Fall Closed Season (10)
- Spring Closed Season (11)
- White, Black, or Hybrid Crappie (15) • 15 Fish Daily Harvest Limit

Bakers Lake, City of Peru

LaSalle County

- All Fish • 2 Pole and Line Fishing Only (1)
- Channel Catfish • 6 Fish Daily Harvest Limit
- Large or Smallmouth Bass (14) • 14" Minimum Length Limit
- 1 Fish Daily Harvest Limit

Baldwin Lake, Baldwin Lake Conservation Area

Randolph County

- All Fish • 2 Pole and Line Fishing Only (1) (5)
- Large or Smallmouth Bass • 18" Minimum Length Limit
- Striped, White, or Hybrid Striped Bass • 17" Minimum Length Limit
- (16) • 3 Fish Daily Harvest Limit
- White, Black, or Hybrid Crappie (15) • 25 Fish Daily Harvest Limit
- 9" Minimum Length Limit

Banana Lake, Lake County Forest Preserve District

Lake County

- All Fish • 2 Pole and Line Fishing Only (1)
- Channel Catfish • 3 Fish Daily Harvest Limit
- Large or Smallmouth Bass (14) • 1 Fish Daily Harvest Limit
- 15" Minimum Length Limit
- Trout • Fall Closed Season (10)
- Spring Closed Season (11)

Banner Marsh Lake & Ponds, Banner Marsh State Fish and Wildlife Area (33)

Peoria/Fulton Counties

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- | | |
|--|---|
| <p>Recreational Use Restrictions</p> <p>All Fish</p> <p>Channel Catfish</p> <p>Large or Smallmouth Bass (14)</p> | <ul style="list-style-type: none"> • All live bait > 8" must be rigged with a quick set rig (43) • 2 Pole and Line Fishing Only (1) (34) • 6 Fish Daily Harvest Limit • 3 Fish Daily Harvest Limit • Protected Slot Length Limit <u>of 12-18" with one Fish greater than or equal to 18" and/or 2 Fish less than 12"</u> (46) |
| <p>Pure Muskellunge</p> <p>White, Black, or Hybrid Crappie (15)</p> | <ul style="list-style-type: none"> • 42" Minimum Length Limit • 25 Fish Daily Harvest Limit • 9" Minimum Length Limit |

~~**Bass Lake, DuPage County Forest Preserve District**~~
~~DuPage County~~

- | | |
|---|---|
| <p>All Fish</p> <p>Channel Catfish</p> <p>Large or Smallmouth Bass (14)</p> <p>White, Black, or Hybrid Crappie (15)</p> | <ul style="list-style-type: none"> • 2 Pole and Line Fishing Only (1) • 3 Fish Daily Harvest Limit • 12" Minimum Length Limit • 18" Minimum Length Limit • 1 Fish Daily Harvest Limit • 9" Minimum Length Limit • 15 Fish Daily Harvest Limit |
|---|---|

Batchtown Wildlife Management Area (19)
 Calhoun County

Baumann Park Lake, City of Cherry Valley
 Winnebago County

- | | |
|---|--|
| <p>All Fish</p> <p>Channel Catfish</p> <p>Large or Smallmouth Bass (14)</p> | <ul style="list-style-type: none"> • 2 Pole and Line Fishing Only (1) • 6 Fish Daily Harvest Limit • 14" Minimum Length Limit • 1 Fish Daily Harvest Limit |
|---|--|

Beall Woods Lake, Beall Woods Conservation Area
 Wabash County

- | | |
|--|--|
| <p>All Fish</p> <p>Channel Catfish</p> <p>Large or Smallmouth Bass</p> | <ul style="list-style-type: none"> • 2 Pole and Line Fishing Only (1) • 6 Fish Daily Harvest Limit • 15" Minimum Length Limit |
|--|--|

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Trout

- Spring Closed Season (11)
- Fall Closed Season (10)

Beaver Dam Lake, Beaver Dam State Park

Macoupin County

All Fish

Bluegill or Redear Sunfish (14)

Channel Catfish

Large or Smallmouth Bass (14)

Trout

White, Black, or Hybrid Crappie (15)

- 2 Pole and Line Fishing Only (1)
- 25 Fish Daily Harvest Limit
- 6 Fish Daily Harvest Limit
- 15" Minimum Length Limit
- 3 Fish Daily Harvest Limit
- Fall Closed Season (10)
- 10 Fish Daily Harvest Limit
- 9" Minimum Length Limit

Beck Lake, Cook County Forest Preserve District

Cook County

All Fish

Bluegill, Redear, or Pumpkinseed Sunfish
(14)

Channel Catfish

Large or Smallmouth Bass

Walleye, Sauger, or Hybrid Walleye

White, Black, or Hybrid Crappie (15)

- 2 Pole and Line Fishing Only (1) (36)
- 15 Fish Daily Harvest Limit
- 6 Fish Daily Harvest Limit
- 14" Minimum Length Limit
- 18" Minimum Length Limit
- 15 Fish Daily Harvest Limit

Belk Park Pond, City of Wood River

Madison County

All Fish

Bluegill or Redear Sunfish (14)

Channel Catfish

- 2 Pole and Line Fishing Only (1)
- 25 Fish Daily Harvest Limit
- 6 Fish Daily Harvest Limit

Belleau Lake, Cook County Forest Preserve District

Cook County

All Fish

Bluegill, Redear, or Pumpkinseed Sunfish
(14)

Large or Smallmouth Bass

Trout

- 2 Pole and Line Fishing Only (1) (36)
- 15 Fish Daily Harvest Limit
- 14" Minimum Length Limit
- Fall Closed Season (10)

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- White, Black, or Hybrid Crappie (15)
- Spring Closed Season (11)
 - 15 Fish Daily Harvest Limit

Belvidere Ponds, City of Belvidere

Boone County

- Large or Smallmouth Bass (14)
- 1 Fish Daily Harvest Limit
 - 14" Minimum Length Limit

Bevier Lagoon, Waukegan Park District

Lake County

- All Fish
- 2 Pole and Line Fishing Only (1)
- Channel Catfish
- 6 Fish Daily Harvest Limit

Bird Park Quarry, City of Kankakee

Kankakee County

- Trout
- Fall Closed Season (10)
 - Spring Closed Season (11)

Bloomington Park District Lakes (Anglers Lake, Holiday Lake, Miller Park Lake, Tipton Lake and White Oaks Lake), City of Bloomington

McLean County

- All Fish
- 2 Pole and Line Fishing Only (1)
- Channel Catfish
- 3 Fish Daily Harvest Limit
- Large or Smallmouth Bass (14)
- 15" Minimum Length Limit
 - 3 Fish Daily Harvest Limit

Blue Pond, Boone County Conservation District

Boone County

- All Fish
- 2 Pole and Line Fishing Only (1)
- Channel Catfish
- 6 Fish Daily Harvest Limit
- Large or Smallmouth Bass (14)
- 14" Minimum Length Limit
 - 1 Fish Daily Harvest Limit

Borah Lake, City of Olney

Richland County

- All Fish
- 2 Pole and Line Fishing Only (1)
- Bluegill or Redear Sunfish (14)
- 25 Fish Daily Harvest Limit

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- Channel Catfish
Large or Smallmouth Bass
- 6 Fish Daily Harvest Limit
 - 14" Minimum Length Limit

Boston Pond, Stephen A. Forbes State Park

Marion County

Trout

- Fall Closed Season (10)
- Spring Closed Season (11)

Bowen Lake, City of Washington

Tazewell County

All Fish

Channel Catfish

Large or Smallmouth Bass (14)

- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Harvest Limit
- Protected Slot Length Limit with no possession of Fish ~~≤less than~~ 15" or ~~≥greater than or equal to~~ 12" (3)
- 3 Fish Daily Harvest Limit

Boyd-Wesley Park Pond, Village of Towanda

McLean County

All Fish

Channel Catfish

Large or Smallmouth Bass (14)

Bluegill or Redear Sunfish (14)

- 2 Pole and Line Fishing Only (1)
- 3 Fish Daily Harvest Limit
- 15" Minimum Length Limit
- 1 Fish Daily Harvest Limit
- 10 Fish Daily Harvest Limit

Braidwood Lake, Braidwood State Fish and Wildlife Area (41)

Will County

Recreational Use Restrictions

- Braidwood Lake is closed to all fishing and boat traffic, except for legal waterfowl hunters, from 10 days prior to duck season through the day before duck season and is closed to all fishing during waterfowl season commencing with regular duck season through the close of the Canada goose and regular duck season
- 2 Pole and Line Fishing Only (1)
- 15" Minimum Length Limit

All Fish

Large or Smallmouth Bass (14)

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|---|--|
| Striped, White or Hybrid Striped Bass
(16) | <ul style="list-style-type: none"> • 3 Fish Daily Harvest Limit • 10 Fish Daily Harvest with no more than 3 Fish > 17" (17) |
|---|--|

Breese JC's Park Pond, City of Breese

Clinton County

All Fish

Channel Catfish

Large or Smallmouth Bass (14)

- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Harvest Limit
- 15" Minimum Length Limit
- 3 Fish Daily Harvest Limit

Buckner City Reservoir, City of Buckner

Franklin County

All Fish

Channel Catfish

Large or Smallmouth Bass

- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Harvest Limit
- 15" Minimum Length Limit

Buffalo Prairie Pheasant Habitat Area Lakes and Ponds (Buffalo Lake South, Buffalo Lake North, Buffalo Pond Northwest, Buffalo Wetland) State of Illinois

Knox County

Recreational Use Restrictions

All Fish

Large or Smallmouth Bass (14)

Bluegill or Redear Sunfish (14)

- Buffalo Prairie Pheasant Habitat Area is closed to all fishing during the northern zone upland hunting season
- 2 Pole and Line Fishing Only (1)
- 1 Fish \geq 15" and/or 2 Fish < 15" Daily Harvest Limit (25)
- 3 Fish Daily Harvest Limit
- 10 Fish Daily Harvest Limit

Bullfrog Lake, Cook County Forest Preserve District

Cook County

All Fish

Large or Smallmouth Bass

Bluegill, Redear, or Pumpkinseed Sunfish
(14)

White, Black, or Hybrid Crappie (15)

- 2 Pole and Line Fishing Only (1) (36)
- 14" Minimum Length Limit
- 15 Fish Daily Harvest Limit
- 15 Fish Daily Harvest Limit

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Bunker Hill Lake, City of Bunker Hill

Macoupin County

- All Fish • 2 Pole and Line Fishing Only (1)
- Channel Catfish • 6 Fish Daily Harvest Limit

Burning Star ~~5~~-State Fish and Wildlife Area – All lakes and ponds

Jackson County

- Recreation Use Restrictions • Waterfowl Refuge or Hunting Area (all use other than waterfowl hunting from November 1 through the last day in February)
- All Fish • 2 Pole and Line Fishing Only (1) (5)
- Channel Catfish • 6 Fish Daily Harvest Limit
- Large or Smallmouth Bass (14) • Protected Slot Length Limit with 1 Fish ~~≥ greater than or equal to~~ 18" and 5 Fish ~~≤ less than~~ 14" (38)
- Bluegill or Redear Sunfish (14) • 25 Fish Daily Harvest Limit
- White, Black, or Hybrid Crappie (15) • 25 Fish Daily Harvest Limit

Burrells Wood Park Pond

White County

- Channel Catfish • 6 Fish Daily Harvest Limit

Busse Lake, Cook County Forest Preserve

Cook County

- Recreational Use Restrictions • All live bait > 8" must be rigged with a quick set rig (43)
- All Fish • 2 Pole and Line Fishing Only (1) (36)
- Bluegill, Redear, or Pumpkinseed Sunfish (14) • 15 Fish Daily Harvest Limit
- Channel Catfish • 6 Fish Daily Harvest Limit
- Large or Smallmouth Bass • 14" Minimum Length Limit
- Trout • Fall Closed Season (10)
- Walleye, Sauger, or Hybrid Walleye • 18" Minimum Length Limit
- White, Black, or Hybrid Crappie (15) • 15 Fish Daily Harvest Limit

Cache River State Natural Area

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Pulaski/Johnson Counties

Recreational Use Restrictions

- Waterfowl Refuge or Hunting Area; no fishing in Nature Preserves – Section 8 Woods, Heron Pond/Little Black Slough
- 2 Pole and Line Fishing Only (1) (5)
- No Seines

All Fish

Calhoun Point Wildlife Management Area (19)

Calhoun County

Calumet River

Cook County

Yellow Perch

- 15 Fish Daily Harvest Limit
- Closed May 1 through June 15

Campbell Pond Wildlife Management Area (19)

Jackson County

Campus Lake – Southern Illinois University, State of Illinois

Jackson County

All Fish

- 2 Pole and Line Fishing Only (1)

Channel Catfish

- 6 Fish Daily Harvest Limit

Campus Pond – Eastern Illinois University, State of Illinois

Coles County

All Fish

- 2 Pole and Line Fishing Only (1)

Channel Catfish

- 6 Fish Daily Harvest Limit

Trout

- Fall Closed Season (10)

- Spring Closed Season (11)

Canton Lake, City of Canton

Fulton County

Recreational Use Restrictions

- All live bait > 8" must be rigged with a quick set rig (43)

All Fish

- 2 Pole and Line Fishing Only (1)

Channel or Blue Catfish (14)

- 6 Fish Daily Harvest Limit

Large or Smallmouth Bass (14)

- 15" Minimum Length Limit

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- Pure Muskellunge
- 3 Fish Daily Harvest Limit
 - 42" Minimum Length Limit

Carbondale City Reservoir, City of Carbondale

Jackson County

- Large or Smallmouth Bass (14)
- 15" Minimum Length Limit
 - 3 Fish Daily Harvest Limit

Carlinville Lake #1, City of Carlinville

Macoupin County

- All Fish
- 2 Pole and Line Fishing Only (1)
- Channel Catfish
- 6 Fish Daily ~~Harvest~~ Harvest Limit

Carlinville Lake #2, City of Carlinville

Macoupin County

- All Fish
- 2 Pole and Line Fishing Only (1)
- Channel Catfish
- 6 Fish Daily Harvest Limit

Carlton Silt Basin, State of Illinois

Whiteside County

- All Fish
- 2 Pole and Line Fishing Only (1)
- Bluegill or Redear Sunfish (14)
- 8" Minimum Length Limit
 - 10 Fish Daily Harvest Limit
- Large or Smallmouth Bass
- Catch and Release Fishing Only (9)

Carlyle Lake, U.S. Army Corps of Engineers (20) (33)

Clinton/Bond/Fayette Counties

- Large or Smallmouth Bass
- 14" Minimum Length Limit
- White, Black, or Hybrid Crappie (15)
- 15 Fish Daily Harvest Limit
 - 10" Minimum Length Limit

Carthage Lake, City of Carthage

Hancock County

- All Fish
- 2 Pole and Line Fishing Only (1)
- Channel Catfish
- 6 Fish Daily Harvest Limit

Casey Park Pond, City of Casey

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

Clark County

- All Fish
- Bluegill or Redear Sunfish (14)
 - 2 Pole and Line Fishing Only (1)
 - 15 Fish Daily Harvest Limit of which only 5 ~~Fish~~fish \geq 8"
- Channel Catfish
- Large or Smallmouth Bass (14)
 - 6 Fish Daily Harvest Limit
 - 18" Minimum Length Limit
 - 1 Fish Daily Harvest Limit

Casters Pond, Boone County Conservation District

Boone County

- All Fish
- Channel Catfish
- Large or Smallmouth Bass (14)
 - 2 Pole and Line Fishing Only
 - 6 Fish Daily Harvest Limit
 - 14" Minimum Length Limit
 - 1 Fish Daily Harvest Limit

Cedar Lake and Little Cedar Lake, U.S. Forest Service and City of Carbondale

Jackson County

- All Fish
- Large or Smallmouth Bass (14)
 - 2 Pole and Line Fishing Only (1) (5)
 - Protected Slot Length Limit with 1 Fish \geq ~~greater than or equal to~~ 18" and 5 Fish \leq ~~less than~~ 14" (38)
 - 6 Fish Daily Harvest Limit
- Striped, White, or Hybrid Striped Bass (16)
 - 17" Minimum Length Limit
 - 3 Fish Daily Harvest Limit
- White, Black, or Hybrid Crappie (15)
 - 25 Fish Daily Harvest Limit

Centennial Park Pond, Coloma Township Park District

Whiteside County

- Trout
 - Fall Closed Season (10)
 - Spring Closed Season (11)

Centralia Foundation Park Catfish Pond, Centralia Park Foundation

Marion County

- All Fish
- Channel Catfish
 - 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Harvest Limit

Centralia Lake, City of Centralia

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

Marion County

- Channel Catfish • 6 Fish Daily Harvest Limit
- Large or Smallmouth Bass • 15" Minimum Length Limit

Cermack Quarry, Cook County Forest Preserve District

Cook County

- All Fish • 2 Pole and Line Fishing Only (1) (36)
- Bluegill, Redear, or Pumpkinseed • 15 Fish Daily Harvest Limit
- Sunfish (14)
- Channel Catfish • 6 Fish Daily Harvest Limit
- Large or Smallmouth Bass • 14" Minimum Length Limit
- White, Black, or Hybrid Crappie (15) • 15 Fish Daily Harvest Limit

Champaign Park District Lakes (Kaufman Lake, Heritage Lake, Porter Lake and Mattis Lake),
Champaign Park District

Champaign County

- All Fish • 2 Pole and Line Fishing Only (1)
- Bluegill or Redear Sunfish (14) • 15 Fish Daily Harvest Limit
- Channel Catfish • 3 Fish Daily Harvest Limit
- Large or Smallmouth Bass (14) • 15" Minimum Length Limit
- 1 Fish Daily Harvest Limit

Charleston Lower Channel Lake, City of Charleston

Coles County

- All Fish • 2 Pole and Line Fishing Only (1) (5) (36)

Charleston Side Channel Lake, City of Charleston

Coles County

- All Fish • 2 Pole and Line Fishing Only (1) (5)
- Channel Catfish • 6 Fish Daily Harvest Limit
- Large or Smallmouth Bass • 14" Minimum Length Limit
- Striped, White, or Hybrid Striped Bass • 17" Minimum Length Limit
- (16) • 3 Fish Daily Harvest Limit
- White, Black, or Hybrid Crappie (15) • 10 Fish Daily Harvest Limit for Fish < 10"; 10 Fish Daily Harvest Limit for Fish ≥ 10" (23)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

Charlie Brown Lake & Pond, City of Flora

Clay County

- | | |
|--------------------------|------------------------------------|
| All Fish | • 2 Pole and Line Fishing Only (1) |
| Channel Catfish | • 6 Fish Daily Harvest Limit |
| Large or Smallmouth Bass | • 14" Minimum Length Limit |

Charter Oak North – Peoria Park District Lake, Peoria Park District

Peoria County

- | | |
|-------------------------------|------------------------------------|
| All Fish | • 2 Pole and Line Fishing Only (1) |
| Channel Catfish | • 6 Fish Daily Harvest Limit |
| Large or Smallmouth Bass (14) | • 15" Minimum Length Limit |
| | • 1 Fish Daily Harvest Limit |

Charter Oak South – Peoria Park District Pond, Peoria Park District

Peoria County

- | | |
|-------------------------------|------------------------------------|
| All Fish | • 2 Pole and Line Fishing Only (1) |
| Channel Catfish | • 6 Fish Daily Harvest Limit |
| Large or Smallmouth Bass (14) | • 15" Minimum Length Limit |
| | • 1 Fish Daily Harvest Limit |

Chautauqua Lake North and South Pools, U.S. Fish and Wildlife Service

Mason County

- | | |
|-------------------------------|--|
| Recreational Use Restrictions | • Lake Chautauqua North and South Pools will be closed to boat fishing from October 6 through January 31 |
| | • Bank fishing will be allowed in selected areas only |
| | • Ice fishing will be allowed following the February 1 reopening |
| Largemouth Bass | • 12" Minimum Length Limit |

Chenoa City Lake, City of Chenoa

McLean County

- | | |
|-----------------|------------------------------------|
| All Fish | • 2 Pole and Line Fishing Only (1) |
| Channel Catfish | • 6 Fish Daily Harvest Limit |

Chicago River (including its North Branch, South Branch, and the North Shore Channel)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

Cook County

Yellow Perch

- 15 Fish Daily Harvest Limit
- Closed May 1 through June 15

Christopher Old City Lake, City of Christopher

Franklin County

All Fish

Channel Catfish

Large or Smallmouth Bass (14)

- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Harvest Limit
- 15" Minimum Length Limit
- 3 Fish Daily Harvest Limit

Citizen's Lake, City of Monmouth

Warren County

All Fish

Bluegill or Redear Sunfish (14)

Channel Catfish

Large or Smallmouth Bass (14)

- 2 Pole and Line Fishing Only (1)
- 10 Fish Daily Harvest Limit
- 6 Fish Daily Harvest Limit
- Protected Slot Limit with 1 Fish \geq greater than or equal to 15" and/or 5 Fish \leq less than 12"
- 6 Fish Daily Harvest Limit
- Fall Closed Season (10)

Trout

Clear Lake, Kickapoo State Park

Vermilion County

All Fish

Bluegill or Redear Sunfish (14)

Channel Catfish

Large or Smallmouth Bass (14)

- 2 Pole and Line Fishing Only (1)
- 10 Fish Daily Harvest Limit
- 6 Fish Daily Harvest Limit
- 1 Fish \geq 15" and 2 Fish $<$ 15" (25)
- 3 Fish Daily Harvest Limit
- Fall Closed Season (10)
- Spring Closed Season (11)

Trout

Clinton Lake, Clinton Lake State Recreation Area

DeWitt County

All Fish

- 2 Pole and Line Fishing Only (1) (2) (18) (36)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

Blue or Channel Catfish

Large or Smallmouth Bass (14)

Striped, White, or Hybrid Striped Bass (16)

White, Black, or Hybrid Crappie (15)

Walleye

• 10 Fish Daily Harvest Limit, singly or in the aggregate

• 16" Minimum Length Limit

• 3 Fish Daily Harvest Limit

• 10 Fish Daily Harvest Limit, with no more than 3 Fish \geq 17" (17)

• 15 Fish Daily Harvest Limit

• 9" Minimum Length Limit

• 3 Fish Daily Harvest Limit

• 18" Minimum Length Limit

Coffeen Lake, Coffeen Lake State Fish and Wildlife Area

Montgomery County

Channel Catfish

• All jugs must be attended at all times while fishing (2)

Large or Smallmouth Bass (14)

• 15" Minimum Length Limit

• 3 Fish Daily Harvest Limit

White, Black, or Hybrid Crappie

• 10" Minimum Length Limit

White, Black, or Hybrid Crappie (15)

• 10 Fish Daily Harvest Limit

Coles County Airport Lake, Coles County Airport

Coles County

All Fish

• 2 Pole and Line Fishing Only (1)

Channel Catfish

• 6 Fish Daily Harvest Limit

Large or Smallmouth Bass

• Protected Slot Length Limit with only 1 Fish \geq ~~greater than or equal to~~ 18" and 2 Fish \leq ~~less than~~ 14"

• 3 Fish Daily Harvest Limit (50)

Columbus Park Lagoon, Chicago Park District

Cook County

All Fish

• 2 Pole and Line Fishing Only (1)

Channel Catfish

• 4 Fish Daily Harvest Limit

Commissioners Park Pond, Alsip Park District

Cook County

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

- | | |
|-----------------|------------------------------------|
| All Fish | • 2 Pole and Line Fishing Only (1) |
| Channel Catfish | • 6 Fish Daily Harvest Limit |

Conservation World Ponds, Illinois State Fairgrounds

Sangamon County

Fishing by special permit only for senior groups, children's groups or group guests of the Director. Apply for permit by writing to: Department of Natural Resources, Division of Fisheries, One Natural Resources Way, Springfield IL 62702

Cook Co. Forest Preserve District Lakes, Cook County Forest Preserve District

Cook County

- | | |
|--|---|
| All Fish | • 2 Pole and Line Fishing Only (1) (36) |
| Bluegill, Redear, or Pumpkinseed
Sunfish (14) | • 15 Fish Daily Harvest Limit |
| Large or Smallmouth Bass | • 14" Minimum Length Limit |
| Walleye, Sauger, or Hybrid Walleye | • 18" Minimum Length Limit |
| White, Black, or Hybrid Crappie (15) | • 15 Fish Daily Harvest Limit |

Coulterville City Lake, City of Coulterville

Randolph County

- | | |
|-----------------|------------------------------------|
| All Fish | • 2 Pole and Line Fishing Only (1) |
| Channel Catfish | • 6 Fish Daily Harvest Limit |

Crab Orchard National Wildlife Refuge – Crab Orchard Lake, U.S. Fish and Wildlife Service

Williamson County

- | | |
|-------------------------------|--|
| All Fish | • 2 Pole and Line Fishing Only (1) (4) |
| Large or Smallmouth Bass (14) | • 16" Minimum Length Limit
• 3 Fish Daily Harvest Limit |

Crab Orchard National Wildlife Refuge – Devil's Kitchen Lake, U.S. Fish and Wildlife Service

Williamson County

- | | |
|---------------------------------|--|
| All Fish | • 2 Pole and Line Fishing Only (1) |
| Bluegill or Redear Sunfish (14) | • 8" Minimum Length Limit
• 25 Fish Daily Harvest Limit |

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

Crab Orchard National Wildlife Refuge – Little Grassy Lake, U.S. Fish and Wildlife Service
Williamson County

- | | |
|------------------------------|--|
| All Fish | • 2 Pole and Line Fishing Only (1) (5) |
| Channel Catfish | • 6 Fish Daily Harvest Limit |
| Large or Smallmouth Bass(14) | • Protected Slot Length Limit of 12-15" with no possession of Fish less than 15" and greater than or equal to 12" (3) |
| | • 6 Fish Daily Harvest Limit |

Crab Orchard National Wildlife Refuge – Visitors Pond

Williamson County

- | | |
|-------------------------------|------------------------------------|
| All Fish | • 2 Pole and Line Fishing Only (1) |
| Channel Catfish | • 6 Fish Daily Harvest Limit |
| Large or Smallmouth Bass (14) | • 18" Minimum Length Limit |
| | • 1 Fish Daily Harvest Limit |

Crab Orchard National Wildlife Refuge – Restricted Use Area Ponds (30), except Visitor Pond, and Crab Orchard National Wildlife Refuge – All Other Ponds, U.S. Fish and Wildlife Service

Williamson County

- | | |
|-------------------------------|------------------------------------|
| All Fish | • 2 Pole and Line Fishing Only (1) |
| Channel Catfish | • 6 Fish Daily Harvest Limit |
| Large or Smallmouth Bass (14) | • 16" Minimum Length Limit |
| | • 3 Fish Daily Harvest Limit |

Crawford County State Fish and Wildlife Area – Picnic Pond, Crawford County

Conservation Area

Crawford County

- | | |
|--------------------------|------------------------------------|
| All Fish | • 2 Pole and Line Fishing Only (1) |
| Channel Catfish | • 6 Fish Daily Harvest Limit |
| Large or Smallmouth Bass | • 15" Minimum Length Limit |
| Trout | • Fall Closed Season (10) |

Crawford County State Fish and Wildlife Area Ponds, Crawford County

Conservation Area

Crawford County

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

- | | |
|--------------------------|------------------------------------|
| All Fish | • 2 Pole and Line Fishing Only (1) |
| Channel Catfish | • 6 Fish Daily Harvest Limit |
| Large or Smallmouth Bass | • 15" Minimum Length Limit |

Crull Impoundment Wildlife Management Area (33)

Jersey County

Crystal Lake, Urbana Park District

Champaign County

- | | |
|---------------------------------|------------------------------------|
| All Fish | • 2 Pole and Line Fishing Only (1) |
| Channel Catfish | • 3 Fish Daily Harvest Limit |
| Large or Smallmouth Bass | • 14" Minimum Length Limit |
| Bluegill or Redear Sunfish (14) | • 10 Fish Daily Harvest Limit |

Cypress Creek National Wildlife Refuge – All Ponds, U.S. Fish and Wildlife Service

Johnson/Pulaski/Union Counties

- | | |
|--------------------------|------------------------------------|
| All Fish | • 2 Pole and Line Fishing Only (1) |
| Channel Catfish | • 6 Fish Daily Harvest Limit |
| Large or Smallmouth Bass | • 15" Minimum Length Limit |

Cypress Creek National Wildlife Refuge – Cache River

Fish and Wildlife Service

Johnson/Pulaski Counties

- | | |
|----------|------------------------------------|
| All Fish | • 2 Pole and Line Fishing Only (1) |
| | • No Seines |

Dawson Lake & Park Ponds, Moraine View State Park

McLean County

- | | |
|--|---|
| All Fish | • 2 Pole and Line Fishing Only (1) (44) |
| Bluegill or Redear Sunfish (14) | • 20 Fish, singly or in the aggregate, Daily Harvest Limit with no more than 5 Fish \geq 8" |
| Channel Catfish | • 6 Fish Daily Harvest Limit |
| Large or Smallmouth Bass (14) | • 1 Fish \geq 15" and 2 Fish $<$ 15" (25) |
| | • 3 Fish Daily Harvest Limit |
| Walleye, Sauger ₂ or Hybrid Walleye | • 3 Fish Daily Harvest Limit |

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

- 15" Minimum Length Limit with no more than 1 Fish \geq 20"
 - 15 Fish Daily Harvest Limit
- White, Black, or Hybrid Crappie (15)

Decatur Park District Pond

Macon County

All Fish

Channel Catfish

Large or Smallmouth Bass

- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Harvest Limit (except for Fairview Park – Dreamland Pond, which has a 3 Fish Daily Harvest Limit)
- 14" Minimum Length Limit
- 1 Fish Daily Harvest Limit

~~Deep Quarry Lake, DuPage County Forest Preserve District~~~~DuPage County~~~~All Fish~~~~Channel Catfish~~~~Large or Smallmouth Bass (14)~~~~Walleye, Sauger, or Hybrid Walleye (14)~~~~White, Black, or Hybrid Crappie (15)~~

- ~~• 2 Pole and Line Fishing Only (1)~~
- ~~• 3 Fish Daily Harvest Limit~~
- ~~• 12" Minimum Length Limit~~
- ~~• 18" Minimum Length Limit~~
- ~~• 4 Fish Daily Harvest Limit~~
- ~~• 16" Minimum Length Limit~~
- ~~• 3 Fish Daily Harvest Limit~~
- ~~• 9" Minimum Length Limit~~
- ~~• 15 Fish Daily Harvest Limit~~

Defiance Lake, Moraine Hills State Park

McHenry County

All Fish

Channel Catfish

Large or Smallmouth Bass (14)

- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Harvest Limit
- 14" Minimum Length Limit
- 3 Fish Daily Harvest Limit

Des Plaines River Basin (former Hoffman Dam site to 47th Street Bridge, including tributaries)

Cook County

Channel Catfish

Large or Smallmouth Bass

- 15" Minimum Length Limit
- 6 Fish Daily Harvest Limit
- Catch and Release Only (9)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

- | | |
|---|-------------------------------|
| Northern Pike | • 30" Minimum Length Limit |
| | • 1 Fish Daily Harvest Limit |
| White, Black or Hybrid Crappie (15) | • 10 Fish Daily Harvest Limit |
| Walleye, Sauger, or Hybrid Walleye (14) | • 18" Minimum Length Limit |
| | • 1 Fish Daily Harvest Limit |

Diamond Lake, City of Mundelein
Lake County

- | | |
|-------------------------------|------------------------------------|
| All Fish | • 2 Pole and Line Fishing Only (1) |
| Channel Catfish | • 6 Fish Daily Harvest Limit |
| Large or Smallmouth Bass (14) | • 15" Minimum Length Limit |
| | • 3 Fish Daily Harvest Limit |

Dieterich Park Pond, City of Dieterich
Effingham County

- | | |
|-------------------------------|------------------------------------|
| All Fish | • 2 Pole and Line Fishing Only (1) |
| Channel Catfish | • 6 Fish Daily Harvest Limit |
| Large or Smallmouth Bass (14) | • 15" Minimum Length Limit |
| | • 1 Fish Daily Harvest Limit |

Dolan Lake, Hamilton County Conservation Area
Hamilton County

- | | |
|---|--|
| All Fish | • 2 Pole and Line Fishing Only (1) |
| Channel Catfish | • 6 Fish Daily Harvest Limit |
| Bluegill or Redear Sunfish (14) | • 25 Fish Daily Harvest Limit |
| Large or Smallmouth Bass (14) | • 18" Minimum Length Limit |
| | • 1 Fish Daily Harvest Limit |
| <u>White, Black, or Hybrid Crappie (15)</u> | • <u>25 Fish Daily Harvest Limit with only 10 Fish ≥ 10"</u> |

Dongola City Lake, City of Dongola
Union County

- | | |
|------------------------|-------------------------------------|
| <u>Largemouth Bass</u> | • <u>18" Minimum Length Limit</u> |
| | • <u>1 Fish Daily Harvest Limit</u> |

Donnelley State Wildlife Area (33)
Bureau County

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

Double "T" State Fish and Wildlife Area, State of Illinois

Fulton County

Recreational Use Restrictions

- Waterfowl Refuge or Hunting Area (all use other than waterfowl hunting is prohibited from October 1 through the end of the central zone Canada goose season)
- All live bait > 8" must be rigged with a quick set rig (43)
- 2 Pole and Line Fishing Only (1)
- 25 Fish Daily Harvest Limit
- 6 Fish Daily Harvest Limit
- 21" Minimum Length Limit
- 1 Fish Daily Harvest Limit
- 42" Minimum Length Limit
- 10" Minimum Length Limit
- 25 Fish Daily Harvest Limit

All Fish

Bluegill or Redear Sunfish (14)

Channel or Blue Catfish

Large or Smallmouth Bass (14)

Pure Muskellunge

White, Black, or Hybrid Crappie (15)

Douglas Park Lagoon, Chicago Park District

Cook County

All Fish

Channel Catfish

- 2 Pole and Line Fishing Only (1)
- 4 Fish Daily Harvest Limit

DuPage County Forest Preserve District Lakes and Ponds (excluding ~~Harrier Bass Lake, Deep Quarry Lake, and Grove Lake~~), ~~DuPage County~~ Forest Preserve District of DuPage County

DuPage County

All Fish

Bluegill or Redear Sunfish (14)

Channel Catfish

Large or Smallmouth Bass (14)

Walleye, Sauger, or Hybrid Walleye (14)

White, Black, or Hybrid Crappie (15)

- 2 Pole and Line Fishing Only (1)
- 25 Fish Daily Harvest Limit
- 6 Fish Daily Harvest Limit
- 12" Minimum Length Limit
- Protected Slot Length Limit with 1 Fish ≥ 18" and 3 Fish < 14" 15" Minimum Length Limit
- 43 Fish Daily Harvest Limit
- 16" Minimum Length Limit
- 3 Fish Daily Harvest Limit
- 9" Minimum Length Limit

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

Yellow Perch

- 15 Fish Daily Harvest Limit
- 9" Minimum Length Limit
- 5 Fish Daily Harvest Limit

DuPage County Forest Preserve District (Harrier Lake Only), Forest Preserve District of

DuPage County

DuPage County

All Fish

Bluegill or Redear Sunfish (14)

Channel Catfish

Largemouth Bass

Smallmouth Bass

Walleye, Sauger, or Hybrid Walleye (14)

White, Black, or Hybrid Crappie (15)

Yellow Perch

- 2 Pole and Line Fishing Only (1)
- 25 Fish Daily Harvest Limit
- 6 Fish Daily Harvest Limit
- 12" Minimum Length Limit
- Protected Slot Length Limit with 1 Fish \geq 18" and 3 Fish $<$ 14"
- 4 Fish Daily Harvest Limit
- Catch and Release Fishing Only (9)
- 16" Minimum Length Limit
- 3 Fish Daily Harvest Limit
- 15 Fish Daily harvest Limit
- 9" Minimum Length Limit
- 5 Fish Daily Harvest Limit

DuPage River – West Branch (between the former dam sites located in the McDowell Grove Forest Preserve and the Warrenville Grove Forest Preserve)

DuPage County

Large or Smallmouth Bass

- Catch and Release Fishing Only (9)

DuQuoin City Lake, City of DuQuoin

Perry County

Channel Catfish

Bluegill or Redear Sunfish (14)

Large or Smallmouth Bass (14)

White, Black, or Hybrid Crappie (15)

- 6 Fish Daily Harvest Limit
- 25 Fish Daily Harvest Limit
- 14"-18" Protected Slot Length Limit with only 1 Fish \geq greater than or equal to 18" inches and 5 Fish $<$ less than 14" inches (38)
- 25 Fish Daily Harvest Limit

East Fork Lake, City of Olney

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

Richland County

- All Fish
 - Bluegill or Redear Sunfish (14)
 - Channel Catfish
 - Large or Smallmouth Bass
 - White, Black, or Hybrid Crappie (15)
- 2 Pole and Line Fishing Only (1)
 - 25 Fish Daily Harvest Limit
 - 6 Fish Daily Harvest Limit
 - 15" Minimum Length Limit
 - 25 Fish Daily Harvest Limit

Ed Madigan State Park PondLogan County

- All Fish
 - Bluegill or Redear Sunfish (14)
 - Channel Catfish
 - Large or Smallmouth Bass
 - Large or Smallmouth Bass (14)
- 2 Pole and Line Fishing Only (1)
 - 25 Fish Daily Harvest Limit
 - 3 Fish Daily Harvest Limit
 - 18" Minimum Length Limit
 - 1 Fish Daily Harvest Limit

Eldon Hazlet State Park (See Also Carlyle Lake)

Clinton County

Elliott Lake, Wheaton Park District

DuPage County

- All Fish
 - Channel Catfish
 - Large or Smallmouth Bass (14)
- 2 Pole and Line Fishing Only (1)
 - 3 Fish Daily Harvest Limit
 - 15" Minimum Length Limit

Embarras River Bottoms State Habitat AreaLawrence County

- All Fish
- 2 Pole and Line Fishing Only (1) (5)

Emiquon Preserve – Thompson Lake

Fulton County

- All Fish
 - Channel Catfish
 - Black, White, or Hybrid Crappie (15)
 - Bluegill, Redear, Pumpkin Seed, Green,
or Orange Spotted Sunfish and Hybrid
Sunfish (14)
- 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Harvest Limit
 - 9" Minimum Length Limit
 - 25 Fish Daily Harvest Limit
 - 25 Fish Daily Harvest Limit

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

- | | |
|---|--|
| Large or Smallmouth Bass (14) | <ul style="list-style-type: none"> • 18" Minimum Length Limit • 1 Fish Daily Harvest Limit |
| Walleye, Sauger, or Hybrid Walleye (14) | <ul style="list-style-type: none"> • 14" Minimum Length Limit • 6 Fish Daily Harvest Limit |

Evergreen Lake, City of Bloomington
McLean County

- | | |
|--------------------------------------|--|
| Recreational Use Restrictions | <ul style="list-style-type: none"> • All live bait > 8" must be rigged with a quick set rig (43) |
| All Fish | <ul style="list-style-type: none"> • 2 Pole and Line Fishing Only (1) (5) |
| Large or Smallmouth Bass | <ul style="list-style-type: none"> • 15" Minimum Length Limit • 3 Fish Daily Harvest Limit |
| Pure Muskellunge | <ul style="list-style-type: none"> • 48" Minimum Length Limit (40) |
| Walleye, Sauger, or Hybrid Walleye | <ul style="list-style-type: none"> • 18" Minimum Length Limit • 3 Fish Daily Harvest Limit |
| White, Black, or Hybrid Crappie (15) | <ul style="list-style-type: none"> • 15 Fish Daily Harvest Limit |

Fairgrounds Pond – Fort Massac State Park, State of Illinois

Massac County

- | | |
|--------------------------------|--|
| Largemouth and Smallmouth Bass | <ul style="list-style-type: none"> • 18" Minimum Length Limit • 1 Fish Daily Harvest Limit |
| Trout | <ul style="list-style-type: none"> • Fall Closed Season (10) • Spring Closed Season (11) |

Fairview Park – Dreamland Pond, Decatur Park District

Macon County

- | | |
|--------------------------------|--|
| All Fish | <ul style="list-style-type: none"> • 2 Pole and Line Fishing Only (1) |
| Channel Catfish | <ul style="list-style-type: none"> • 3 Fish Daily Harvest Limit |
| Largemouth and Smallmouth Bass | <ul style="list-style-type: none"> • 14" Minimum Length Limit • 1 Fish Daily Harvest Limit |

Ferne Clyffe Lake, Ferne Clyffe State Park

Johnson County

- | | |
|-----------------|--|
| All Fish | <ul style="list-style-type: none"> • 2 Pole and Line Fishing Only (1) |
| Channel Catfish | <ul style="list-style-type: none"> • 6 Fish Daily Harvest Limit |
| Trout | <ul style="list-style-type: none"> • Fall Closed Season (10) |

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

- Spring Closed Season (11)

Flatfoot Lake, Cook County Forest Preserve District

Cook County

- All Fish • 2 Pole and Line Fishing Only (1) (36)
- Bluegill, Redear, or Pumpkinseed • 15 Fish Daily Harvest Limit
- Sunfish (14)
- Channel Catfish • 6 Fish Daily Harvest Limit
- Large or Smallmouth Bass • 14" Minimum Length Limit
- White, Black, or Hybrid Crappie (15) • 15 Fish Daily Harvest Limit

Fletcher Park Pond, City of Mt. Zion

Macon County

- All Fish • 2 Pole and Line Fishing Only (1)
- Channel Catfish • 3 Fish Daily Harvest Limit
- Bluegill or Redear Sunfish (14) • 5 Fish Daily Harvest Limit
- Large or Smallmouth Bass (14) • 18" Minimum Length Limit
- 1 Fish Daily Harvest Limit

Foli Park Pond, Village of Plano

Kendall County

- All Fish • 2 Pole and Line Fishing Only (1)
- Channel Catfish • 6 Fish Daily Harvest Limit

Forbes State Lake, Stephen A. Forbes State Park (including Forbes State Lake tailwaters and that portion of Lost Fork Creek within Stephen A. Forbes State Park)

Marion County

- All Fish • 2 Pole and Line Fishing Only (1) (5)
- Channel Catfish • 6 Fish Daily Harvest Limit
- Large or Smallmouth Bass (14) • Protected Slot Length Limit of; 14-18" inches
- 6 Fish Daily Harvest Limit
- Striped, White, or Hybrid Striped Bass • 17" Minimum Length Limit
- (16) • 3 Fish Daily Harvest Limit

Forbes State Park Ponds, Stephen A. Forbes State Park

Marion County

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

- | | |
|-------------------------------|--|
| All Fish | • 2 Pole and Line Fishing Only (1) (5) |
| Channel Catfish | • 6 Fish Daily Harvest Limit |
| Large or Smallmouth Bass (14) | • 14" Minimum Length Limit |

Forest Park Lagoon, City of Shelbyville

Shelby County

- | | |
|-----------------|------------------------------------|
| All Fish | • 2 Pole and Line Fishing Only (1) |
| Channel Catfish | • 6 Fish Daily Harvest Limit |
| Trout | • Fall Closed Season (10) |
| | • Spring Closed Season (11) |

Four Lakes, Winnebago County Forest Preserve

Winnebago County

- | | |
|-------------------------------|------------------------------------|
| All Fish | • 2 Pole and Line Fishing Only (1) |
| Channel Catfish | • 6 Fish Daily Harvest Limit |
| Large or Smallmouth Bass (14) | • 14" Minimum Length Limit |
| | • 1 Fish Daily Harvest Limit |
| Trout | • Spring Closed Season (11) |
| | • Fall Closed Season (10) |

Fox Chain O'Lakes (including the Fox River south of the Wisconsin-Illinois boundary to the Algonquin Dam and the Nippersink Creek upstream to the Wilnot Road Bridge) (6) (Applies to Grass Lake and Nippersink Lake State Managed Blind Areas Only), State of Illinois

Lake and McHenry Counties

- | | |
|-------------------------------|--|
| Recreational Use Restrictions | • All live bait > 8" must be rigged with a quick set rig (43) |
| All Fish | • 2 Pole and Line Fishing Only (1) on State Park property bordering the Fox River and Grass Lake |
| Flathead Catfish | • 1 Fish \geq 28" and/or 2 Fish \leq 28" per day |
| | • 3 Fish Daily Harvest Limit |
| Large or Smallmouth Bass (14) | • 14" Minimum Length Limit (6) |
| | • 6 Fish Daily Harvest Limit of which no more than 3 can be Smallmouth Bass |
| Pure Muskellunge | • 48" Minimum Length Limit (40) |
| Smallmouth Bass | • All Fish must be immediately released between April 1 and June 15 |

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

- Walleye, Sauger, or Hybrid Walleye (14)
- 14" Minimum Length Limit with an 18-24"~~a Protected Slot Length Limit (with no possession) of Fish less than 24" and greater than or equal to 18"~~ (6)
 - 4 Fish Daily Harvest Limit of which only 1 can be ≥ 24 " (35)

Fox Ridge State Park (see also Hurricane Pond, Wilderness Pond and Ridge Lake)
Coles County

Fox River, Algonquin Dam to confluence with the Illinois River, including tributaries, State of Illinois
Multiple Counties

- Flathead Catfish
- 1 Fish ≥ 28 " and/or 2 Fish < 28 "
 - 3 Fish Daily Harvest Limit
- Smallmouth Bass
- 1 Fish ≥ 12 " and 2 Fish < 12 "
 - 3 Fish Daily Harvest Limit

Fox River (at Moraine Hills State Park and Dam and on Bolger Lock and Dam Properties), State of Illinois

McHenry County

- All Fish
- 2 Pole and Line Fishing Only (1) on Moraine Hills State Park and Dam property and on property at the Bolger Lock and Dam along the Fox River

Fox River Marina, Lake County Forest Preserve

Lake County

- All Fish
- 2 Pole and Line Fishing Only; Bank Fishing Only (in areas designated by Lake County Forest Preserve District)

Fox Valley Park District Lakes and Ponds (except Jericho Lake and Lake Gregory), Fox

Valley Park District

Kane and DuPage Counties

- All Fish
- 2 Pole and Line Fishing Only (1)
- Channel Catfish
- 6 Fish Daily Harvest Limit

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

- Large or Smallmouth Bass (14)
- 15" Minimum Length Limit
 - 3 Fish Daily Harvest Limit

Frank Holten Lakes, Frank Holten State Park

St. Clair County

- All Fish
- Channel Catfish
- Large or Smallmouth Bass
- Trout
- 2 Pole and Line Fishing Only (1) (5)
 - 6 Fish Daily Harvest Limit
 - 14" Minimum Length Limit
 - Fall Closed Season (10)
 - Spring Closed Season (11)

Franklin Creek (within the boundaries of Franklin Creek State Natural Area)

Lee County

- All Fish
- 2 Pole and Line Fishing Only (1)

Franklin Creek Mill Pond – Franklin Creek State Park, State of Illinois

Lee County

- All Fish
- Large or Smallmouth Bass (14)
- 2 Pole and Line Fishing Only (1)
 - 15" Minimum Length Limit
 - 1 Fish Daily Harvest Limit

Fuller Lake (19)

Calhoun County

Fulton County Camping and Recreation Area Waters, Fulton County Board

Fulton County

- Recreational Use Restrictions
- All Fish
- Channel Catfish
- Large or Smallmouth Bass (14)
- Pure Muskellunge
- Bluegill or Redear Sunfish (14)
- All live bait > 8" must be rigged with a quick set rig (43)
 - 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Harvest Limit
 - Protected Slot Length Limit with no possession of Fish ~~<less than 15"-inches~~ and ~~≥greater than or equal to 12"-inches~~ (3)
 - 3 Fish Daily Harvest Limit
 - 42" Minimum Length Limit
 - 25 Fish Daily Harvest Limit

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

Gages Lake, Wildwood Park District

Lake County

- | | |
|---|---|
| Large or Smallmouth Bass (14) | <ul style="list-style-type: none">• 15" Minimum Length Limit• 3 Fish Daily Harvest Limit |
| Walleye, Sauger, or Hybrid Walleye (14) | <ul style="list-style-type: none">• 16" Minimum Length Limit• 3 Fish Daily Harvest Limit |

Garfield Park Lagoon, Chicago Park District

Cook County

- | | |
|-----------------|--|
| All Fish | <ul style="list-style-type: none">• 2 Pole and Line Fishing Only (1) |
| Channel Catfish | <ul style="list-style-type: none">• 4 Fish Daily Harvest Limit |

Gebhard Woods Pond, Gebhard Woods State Park

Grundy County

- | | |
|--------------------------|--|
| All Fish | <ul style="list-style-type: none">• 2 Pole and Line Fishing Only (1) |
| Channel Catfish | <ul style="list-style-type: none">• 6 Fish Daily Harvest Limit |
| Large or Smallmouth Bass | <ul style="list-style-type: none">• 15" Minimum Length Limit |
| Trout | <ul style="list-style-type: none">• Spring Closed Season (11) |

Germantown Lake, City of Germantown

Clinton County

- | | |
|---------------------------------|---|
| All Fish | <ul style="list-style-type: none">• 2 Pole and Line Fishing Only (1) |
| Bluegill or Redear Sunfish (14) | <ul style="list-style-type: none">• 15 Fish Daily Harvest Limit |
| Channel Catfish | <ul style="list-style-type: none">• 6 Fish Daily Harvest Limit |
| Large or Smallmouth Bass (14) | <ul style="list-style-type: none">• 18" Minimum Length Limit• 1 Fish Daily Harvest Limit |

Giant City Park Ponds, Giant City State Park

Jackson and Union Counties

- | | |
|-----------------------------|--|
| All Fish | <ul style="list-style-type: none">• 2 Pole and Line Fishing Only (1) |
| Channel Catfish | <ul style="list-style-type: none">• 6 Fish Daily Harvest Limit |
| Largemouth and Spotted Bass | <ul style="list-style-type: none">• 15" Minimum Length Limit |

Gillespie New City Lake, City of Gillespie

Macoupin County

- | | |
|----------|--|
| All Fish | <ul style="list-style-type: none">• 2 Pole and Line Fishing Only (1) |
|----------|--|

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

- Channel Catfish
Large or Smallmouth Bass (14)
- 6 Fish Daily Harvest Limit
 - Protected Slot Length Limit with no possession of Fish ~~<less than~~ 15" and ~~≥greater than or equal to~~ 12" (3)
 - 3 Fish Daily Harvest Limit

Gillespie Old City Lake, City of Gillespie
Macoupin County

- All Fish
Channel Catfish
Large or Smallmouth Bass (14)
- 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Harvest Limit
 - 15" Minimum Length Limit
 - 3 Fish Daily Harvest Limit

Glades – 12 Mile Island Wildlife Management Area (19)
Jersey County

Gladstone Lake, Henderson County Conservation Area
Henderson County

- All Fish
Bluegill or Redear Sunfish (14)
Channel or Blue Catfish (14)
Large or Smallmouth Bass (14)
- Pure Muskellunge
- 2 Pole and Line Fishing Only (1)
 - 10 Fish Daily Harvest Limit
 - 6 Fish Daily Harvest Limit
 - 1 Fish ≥ 15" and/or 2 Fish < 12"
 - 3 Fish Daily Harvest Limit
 - 48" Minimum Length Limit
 - 1 Fish Daily Harvest Limit

Glen Oak Park Lagoon, Peoria Park District
Peoria County

- All Fish
Channel Catfish
- 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Harvest Limit

Glen Shoals Lake, City of Hillsboro
Montgomery County

- All Fish
Channel Catfish
Large or Smallmouth Bass
- 2 Pole and Line Fishing Only (1) (5)
 - 6 Fish Daily Harvest Limit
 - 15" Minimum Length Limit
 - 3 Fish Daily Harvest Limit

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

- Striped, White, or Hybrid Striped Bass (16)
 - 17" Minimum Length Limit
 - 3 Fish Daily Harvest Limit

Godar-Diamond/Hurricane Island Wildlife Management Area (19)
 Calhoun County

Gompers Park Lagoon, Chicago Park District
 Cook County

- All Fish
 - 2 Pole and Line Fishing Only (1)
- Channel Catfish
 - 4 Fish Daily Harvest Limit

Gordon F. More Park Lake, City of Alton
 Madison County

- All Fish
 - 2 Pole and Line Fishing Only (1)
- Bluegill or Redear Sunfish (14)
 - 25 Fish Daily Harvest Limit
- Channel Catfish
 - 6 Fish Daily Harvest Limit
- Large or Smallmouth Bass (14)
 - 15" Minimum Length Limit
 - 3 Fish Daily Harvest Limit

Governor Bond Lake, City of Greenville
 Bond County

- Channel Catfish
 - All jugs must be attended at all times while fishing (2)
- Large or Smallmouth Bass (14)
 - 15" Minimum Length Limit
 - 3 Fish Daily Harvest Limit
- Striped, White, or Hybrid Striped Bass (16)
 - 17" Minimum Length Limit
 - 3 Fish Daily Harvest Limit
- White, Black, or Hybrid Crappie (15)
 - 25 Fish Daily Harvest Limit

Grayslake Park District (Grayslake and Park Ponds), City of Grayslake
 Lake County

- All Fish
 - 2 Pole and Line Fishing Only (1)
- Channel Catfish
 - 6 Fish Daily Harvest Limit
- Large or Smallmouth Bass (14)
 - 15" Minimum Length Limit
 - 3 Fish Daily Harvest Limit

Green Lake, Cook County Forest Preserve

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

Cook County
Trout

- Fall Closed Season (10)
- Spring Closed Season (11)

Greenfield City Lake, City of Greenfield

Greene County

- | | |
|---------------------------------|--|
| All Fish | • 2 Pole and Line Fishing Only (1) |
| Bluegill or Redear Sunfish (14) | • 25 Fish Daily Harvest Limit |
| Channel Catfish | • 6 Fish Daily Harvest Limit |
| Large or Smallmouth Bass (12) | • 1 Fish \geq to 15" and/or 5 Fish $<$ 12" |
| | • 6 Fish Daily Harvest Limit |

Greenville Old City Lake, Kingsbury Park District

Bond County

- | | |
|-------------------------------|------------------------------------|
| All Fish | • 2 Pole and Line Fishing Only (1) |
| Channel Catfish | • 6 Fish Daily Harvest Limit |
| Trout | • Fall Closed Season (10) |
| Large or Smallmouth Bass (14) | • 15" Minimum Length Limit |
| | • 3 Fish Daily Harvest Limit |

~~Grove Lake, DuPage County Forest Preserve District~~~~DuPage County~~

- | | |
|---|---|
| All Fish | • 2 Pole and Line Fishing Only (1) |
| Channel Catfish | • 3 Fish Daily Harvest Limit |
| | • 12" Minimum Length Limit |
| Large or Smallmouth Bass (14) | • 18" Minimum Length Limit |
| | • 1 Fish Daily Harvest Limit |
| White, Black, or Hybrid Crappie (15) | • 9" Minimum Length Limit |
| | • 15 Fish Daily Harvest Limit |

Hanover Lake – Apple River Canyon State Park, State of Illinois

Jo Daviess County

- | | |
|---------------------------------|------------------------------------|
| All Fish | • 2 Pole and Line Fishing Only (1) |
| Bluegill or Redear Sunfish (14) | • 25 Fish Daily Harvest Limit |
| Channel Catfish | • 6 Fish Daily Harvest Limit |
| Large or Smallmouth Bass (14) | • 14" Minimum Length Limit |
| | • 1 Fish Daily Harvest Limit |

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

Harrisburg New City Reservoir, City of Harrisburg

Saline County

- All Fish • 2 Pole and Line Fishing Only (1)
- Channel Catfish • 6 Fish Daily Harvest Limit
- Striped, White, or Hybrid Striped Bass • 17" Minimum Length Limit
- (16) • 3 Fish Daily Harvest Limit

Heidecke Lake, Heidecke Lake State Fish and Wildlife Area

Grundy County (41)

- Recreational Use Restrictions • Heidecke Lake shall be closed to all fishing and boat traffic except for legal waterfowl hunters from 10 days prior to duck season through the day before duck season and is closed to all fishing during waterfowl season commencing with regular duck season through the close of the Canada goose and regular duck season
- All live bait > 8" must be rigged with a quick set rig (43)
- All Fish • 2 Pole and Line Fishing Only (1)
- Black, White, or Hybrid Crappie (15) • 15 Fish Daily Harvest Limit
- Channel Catfish • 6 Fish Daily Harvest Limit
- Large or Smallmouth Bass (14) • Protected Slot Length Limit with only 1 Fish ~~≥greater than or equal to~~ 18" and 2 Fish ~~≤less than~~ 12" (46)
- 3 Fish Daily Harvest Limit
- Pure Muskellunge • 48" Minimum Length Limit
- Striped, White, or Hybrid Striped Bass • 10 Fish Daily Harvest Limit with no more than 3 Fish ~~≥greater than or equal to~~ 17" (17)
- (16)
- Walleye, Sauger, or Hybrid Walleye (14) • 16" Minimum Length Limit
- 3 Fish Daily Harvest Limit

Helmbold Slough (19)

Calhoun County

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

Henderson Creek State Fish and Wildlife Area

Henderson County

Recreational Use Restrictions

- It shall be unlawful to trespass upon a designated waterfowl hunting area during the 7 days prior to regular duck season or to fish on such areas during the regular duck season except in areas posted as open to fishing; it shall be unlawful to trespass upon areas designated as waterfowl rest areas or refuges from 2 weeks prior to the start of the regular duck season through the end of duck and Canada Goose season (33)

Hennepin Canal – Mainline & Feeder, Hennepin Canal Parkway State Park

Multiple Counties

All Fish

Large or Smallmouth Bass

Trout

- 2 Pole and Line Fishing Only (1) (13)
- 14" Minimum Length Limit
- Fall Closed Season (10)
- Spring Closed Season (11)

Hennepin-Hopper Lakes, The Wetlands Initiative

Putnam County

Recreational Use Restrictions

All Fish

Black, White or Hybrid Crappie (15)

Channel Catfish

Large or Smallmouth Bass (14)

Pure Muskellunge

Walleye, Sauger, or Hybrid Walleye (14)

- All live bait greater than 8" must be rigged with a quick set rig (43)
- 2 Pole and Line Fishing Only (1)
- 9" Minimum Length Limit
- 25 Fish Daily Harvest Limit
- 6 Fish Daily Harvest Limit
- 15" Minimum Length Limit
- 3 Fish Daily Harvest Limit
- 42" Minimum Length Limit
- 18" Minimum Length Limit
- 3 Fish Daily Harvest Limit

Herrin Lake #1, City of Herrin

Williamson County

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

- All Fish
 - Channel Catfish
 - Large or Smallmouth Bass (14)
- 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Harvest Limit
 - 15" Minimum Length Limit
 - 3 Fish Daily Harvest Limit

Herrin Lake #2, City of Herrin

Williamson County

- All Fish
 - Channel Catfish
 - Large or Smallmouth Bass (14)
- 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Harvest Limit
 - 15" Minimum Length Limit
 - 3 Fish Daily Harvest Limit

Heyworth Centennial Lake, City of Heyworth

McLean County

- All Fish
 - Channel Catfish
 - Large or Smallmouth Bass (14)
- 2 Pole and Line Fishing Only (1)
 - 3 Fish Daily Harvest Limit
 - 16" Minimum Length Limit
 - 1 Fish Daily Harvest Limit

Hidden Springs State Forest Pond, Hidden Springs State Forest

Shelby County

- All Fish
 - Bluegill or Redear Sunfish (14)
 - Channel Catfish
 - Large or Smallmouth Bass (14)
- 2 Pole and Line Fishing Only (1)
 - 10 Fish Daily Harvest Limit
 - 6 Fish Daily Harvest Limit
 - 18" Minimum Length Limit
 - 1 Fish Daily Harvest Limit

Highland Old City Lake, City of Highland

Madison County

- All Fish
 - Channel Catfish
 - Large or Smallmouth Bass (14)
 - Trout
- 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Harvest Limit
 - 15" Minimum Length Limit
 - 3 Fish Daily Harvest Limit
 - Fall Closed Season (10)

Hillsboro Old City Lake, City of Hillsboro

Montgomery County

- All Fish
- 2 Pole and Line Fishing Only (1)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

- | | |
|--------------------------|--|
| Channel Catfish | • 6 Fish Daily Harvest Limit |
| Large or Smallmouth Bass | • Protected Slot Length Limit with no possession of Fish <less than 15" and ≥greater than or equal to 12" (3) |
| | • 3 Fish Daily Harvest Limit |

Homer Guthrie Pond – Eldon Hazlet State Park, State of Illinois

Clinton County

- | | |
|---------------------------------|------------------------------------|
| All Fish | • 2 Pole and Line Fishing Only (1) |
| Channel Catfish | • 6 Fish Daily Harvest Limit |
| Bluegill or Redear Sunfish (14) | • 10 Fish Daily Harvest Limit |
| Large or Smallmouth Bass (14) | • 18" Minimum Length Limit |
| | • 1 Fish Daily Harvest Limit |

Homer Lake, Champaign County Forest Preserve District

Champaign County

- | | |
|--------------------------|------------------------------------|
| All Fish | • 2 Pole and Line Fishing Only (1) |
| Channel Catfish | • 6 Fish Daily Harvest Limit |
| Large or Smallmouth Bass | • 14" Minimum Length Limit |

Hormel Pond, Donnelly State Fish and Wildlife Area

Bureau County

- | | |
|--------------------------|--|
| All Fish | • 2 Pole and Line Fishing Only (1) (5) |
| Channel Catfish | • 6 Fish Daily Harvest Limit |
| Large or Smallmouth Bass | • 14" Minimum Length Limit |

Horseshoe Lake – Alexander Co., Horseshoe Lake Conservation Area

Alexander County

- | | |
|-------------------------------|--|
| Recreational Use Restrictions | • Only trolling motors in refuge from October 15-March 1 |
| All Fish | • 2 Pole and Line Fishing Only (1) (5) |
| Channel Catfish | • 6 Fish Daily Harvest Limit |
| Large or Smallmouth Bass | • 14" Minimum Length Limit |

Horseshoe Lake – Madison County, Horseshoe Lake State Park (19)

Madison County

- | | |
|----------|---|
| All Fish | • 2 Pole and Line Fishing Only (1) (5) (28) |
|----------|---|

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

- | | |
|--------------------------------------|---|
| Large or Smallmouth Bass (14) | <ul style="list-style-type: none">• 15" Minimum Length Limit• 3 Fish Daily Harvest Limit |
| White, Black, or Hybrid Crappie (15) | <ul style="list-style-type: none">• 25 Fish Daily Harvest Limit |

Horsetail Lake, Cook County Forest Preserve District

Cook County

- | | |
|---|---|
| All Fish | <ul style="list-style-type: none">• 2 Pole and Line Fishing Only (1) (36) |
| Bluegill, Redear, or Pumpkinseed Sunfish (14) | <ul style="list-style-type: none">• 15 Fish Daily Harvest Limit |
| Large or Smallmouth Bass | <ul style="list-style-type: none">• 14" Minimum Length Limit |
| Trout | <ul style="list-style-type: none">• Fall Closed Season (10) |
| White, Black, or Hybrid Crappie (15) | <ul style="list-style-type: none">• 15 Fish Daily Harvest Limit |

Horton Lake, Nauvoo State Park

Hancock County

- | | |
|-----------------|---|
| All Fish | <ul style="list-style-type: none">• 2 Pole and Line Fishing Only (1) |
| Channel Catfish | <ul style="list-style-type: none">• 6 Fish Daily Harvest Limit |
| Trout | <ul style="list-style-type: none">• Fall Closed Season (10)• No harvest with Hook and Line; Catch and Release Fly Fishing is permitted (9)• Spring Closed Season (11)• No harvest with Hook and Line; Catch and Release Fly Fishing is permitted (9) |

Humbolt Park Lagoon, Chicago Park District

Cook County

- | | |
|-----------------|--|
| All Fish | <ul style="list-style-type: none">• 2 Pole and Line Fishing Only (1) |
| Channel Catfish | <ul style="list-style-type: none">• 4 Fish Daily Harvest Limit |

Hurricane Pond, Fox Ridge State Park

Coles County

- | | |
|---------------------------------|---|
| All Fish | <ul style="list-style-type: none">• 2 Pole and Line Fishing Only (1) |
| Bluegill or Redear Sunfish (14) | <ul style="list-style-type: none">• 5 Fish Daily Harvest Limit |
| Channel Catfish | <ul style="list-style-type: none">• 6 Fish Daily Harvest Limit |
| Large or Smallmouth Bass (14) | <ul style="list-style-type: none">• 18" Minimum Length Limit• 1 Fish Daily Harvest Limit |

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

Illinois & Michigan Canal, State of Illinois

Grundy/LaSalle/ Will Counties

- | | |
|--------------------------|------------------------------------|
| All Fish | • 2 Pole and Line Fishing Only (1) |
| Channel Catfish | • 6 Fish Daily Harvest Limit |
| Large or Smallmouth Bass | • 15" Minimum Length Limit |
| Trout | • Spring Closed Season (11) |
| | • Fall Closed Season (10) |

Illinois Beach State Park Ponds, Illinois Beach State Park

Lake County

- | | |
|-----------------|------------------------------------|
| All Fish | • 2 Pole and Line Fishing Only (1) |
| Channel Catfish | • 6 Fish Daily Harvest Limit |

Illinois Department of Transportation Lake, State of Illinois

Sangamon County

- | | |
|--------------------------|---|
| All Fish | • 2 Pole and Line Fishing Only (1) |
| Channel Catfish | • 6 Fish Daily Harvest Limit |
| Large or Smallmouth Bass | • 15" Minimum Length Limit |
| Trout | • Fall Closed Season (10) |
| | • No harvest with Hook and Line; Fly Fishing is permitted (9) |
| | • Spring Closed Season (11) |
| | • No harvest with Hook and Line; Fly Fishing is permitted (9) |

Illinois River – Pool 26 (19)

Calhoun County

Illinois River – Starved Rock Pool

LaSalle and Grundy Counties

- | | |
|--------------------------------------|-------------------------------|
| Large or Smallmouth Bass (14) | • 18" Minimum Length Limit |
| | • 1 Fish Daily Harvest Limit |
| White, Black, or Hybrid Crappie (15) | • 10 Fish Daily Harvest Limit |

Illinois River – State of Illinois

Multiple Counties

- | | |
|--------------------------|----------------------------|
| Large or Smallmouth Bass | • 12" Minimum Length Limit |
|--------------------------|----------------------------|

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

Indian Boundary South Pond, Frankfort Square Park District

Will County

- | | |
|-----------------|------------------------------------|
| All Fish | • 2 Pole and Line Fishing Only (1) |
| Channel Catfish | • 6 Fish Daily Harvest Limit |

Iroquois & Kankakee Rivers and their Tributaries, State of Illinois

Multiple Counties

- | | |
|---|--|
| Walleye, Sauger, and Hybrid Walleye
(14) | • 14" Minimum Length Limit |
| | • Protected Slot Length Limit with no possession of Fish <less than 26" and ≥greater than or equal to 18" |
| | • 3 Fish Daily Harvest Limit of which only 1 Fish can be $\geq 26"$ (47) |

Island Pond, Boone County Conservation District

Boone County

- | | |
|-------------------------------|------------------------------------|
| All Fish | • 2 Pole and Line Fishing Only (1) |
| Channel Catfish | • 6 Fish Daily Harvest Limit |
| Large or Smallmouth Bass (14) | • 14" Minimum Length Limit |
| | • 1 Fish Daily Harvest Limit |

Jackson Park (Columbia Basin) Lagoon, Chicago Park District

Cook County

- | | |
|-----------------|------------------------------------|
| All Fish | • 2 Pole and Line Fishing Only (1) |
| Channel Catfish | • 4 Fish Daily Harvest Limit |

Jericho Lake, Fox Valley Park District

Kane County

- | | |
|--------------------------------------|------------------------------------|
| All Fish | • 2 Pole and Line Fishing Only (1) |
| Channel Catfish | • 3 Fish Daily Harvest Limit |
| Large or Smallmouth Bass (14) | • 15" Minimum Length Limit |
| | • 1 Fish Daily Harvest Limit |
| Black, White, or Hybrid Crappie (15) | • 9" Minimum Length Limit |
| | • 15 Fish Daily Harvest Limit |

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

Jim Edgar/Panther Creek Fish and Wildlife Area, All Lakes and Ponds, Jim Edgar/Panther Creek Fish and Wildlife Area

Cass County

- | | |
|-------------------------------|---|
| Recreational Use Restrictions | <ul style="list-style-type: none">• All live bait \geq 8" must be rigged with a quick set rig (43) |
| All Fish | <ul style="list-style-type: none">• 2 Pole and Line Fishing Only (1) |
| Channel Catfish | <ul style="list-style-type: none">• 6 Fish Daily Harvest Limit |
| Large or Smallmouth Bass (14) | <ul style="list-style-type: none">• 15" Minimum Length Limit• 3 Fish Daily Harvest Limit |
| Pure Muskellunge | <ul style="list-style-type: none">• 48" Minimum Length Limit |

Jim Edgar/Panther Creek Fish and Wildlife Area – Drake Lake, Jim Edgar/Panther Creek Fish and Wildlife Area

Cass County

- | | |
|---------------------------------|---|
| All Fish | <ul style="list-style-type: none">• 2 Pole and Line Fishing Only (1) |
| Bluegill or Redear Sunfish (14) | <ul style="list-style-type: none">• 10 Fish Daily Harvest Limit |
| Channel Catfish | <ul style="list-style-type: none">• 6 Fish Daily Harvest Limit |
| Large or Smallmouth Bass (14) | <ul style="list-style-type: none">• 15" Minimum Length Limit• 3 Fish Daily Harvest Limit |

Jim Edgar/Panther Creek Fish and Wildlife Area – Gridley Road Lake, Jim Edgar/Panther Creek Fish and Wildlife Area

Cass County

- | | |
|-------------------------------|---|
| All Fish | <ul style="list-style-type: none">• 2 Pole and Line Fishing Only (1) |
| Channel Catfish | <ul style="list-style-type: none">• 6 Fish Daily Harvest Limit |
| Large or Smallmouth Bass (14) | <ul style="list-style-type: none">• 15" Minimum Length Limit• 3 Fish Daily Harvest Limit |
| Trout | <ul style="list-style-type: none">• Spring Closed Season (11)
No harvest with Hook and Line; Catch and Release Fly Fishing permitted (9)• Fall Closed Season (10)
No harvest with Hook and Line; Catch and Release Fly Fishing permitted (9) |

Johnson Sauk Trail Lake & Pond, Johnson Sauk Trail State Park

Henry County

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

- Recreational Use Restrictions
- All live bait > 8" must be rigged with a quick set rig (43)
- All Fish
- 2 Pole and Line Fishing Only (1)
- Channel Catfish
- 6 Fish Daily Harvest Limit
- Large or Smallmouth Bass
- 14" Minimum Length Limit

Jones Lake Trout Pond, Saline County Conservation Area

Saline County

Trout

- Fall Closed Season (10)

Jones Park Lake, City of East St. Louis

St. Clair County

All Fish

- 2 Pole and Line Fishing Only (1)

Channel Catfish

- 6 Fish Daily Harvest Limit

Trout

- Fall Closed Season (10)

- Spring Closed Season (11)

Jones State Lake, Saline County Conservation Area

Saline County

All Fish

- 2 Pole and Line Fishing Only (1)

Channel Catfish

- 6 Fish Daily Harvest Limit

Large or Smallmouth Bass (14)

- Protected Slot Length Limit with only 1 Fish ~~≥greater than or equal to~~ 18" and 5 Fish ~~≤less than~~ 14" (38)

- 6 Fish Daily Harvest Limit

Jubilee College State Park Pond, Jubilee College State Park

Peoria County

All Fish

- 2 Pole and Line Fishing Only (1)

Channel Catfish

- 6 Fish Daily Harvest Limit

Large or Smallmouth Bass (14)

- 15" Minimum Length Limit

- 1 Fish Daily Harvest Limit

Kankakee-Iroquois Rivers and their Tributaries, State of Illinois

Multiple Counties

- 14" Minimum Length Limit

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

- Walleye, Sauger, and Hybrid Walleye (14)
 - Protected Slot Length Limit with no possession of Fish ~~≤less than~~ 26" and ~~≥greater than or equal to~~ 18"
 - 3 Fish Daily Harvest Limit of which only 1 Fish can be ≥ 26" (47)

Kankakee River, from the Kankakee Dam to the Wilmington Dam on the Kankakee River,
 including tributaries, State of Illinois
 Multiple Counties

- Smallmouth Bass
 - Protected Slot Length Limit with only 1 Fish greater than or equal to 18" and 2 Fish less than 12"
 - 3 Fish Daily Harvest Limit (37)

Kaskaskia River Fish and Wildlife Area – Doza Creek Wildlife Management Area (33)
 St. Clair County

Kendall Co. Lake #1, Kendall County Forest Preserve District
 Kendall County

- All Fish
 - 2 Pole and Line Fishing Only (1)
- Bluegill or Redear Sunfish (14)
 - 10 Fish Daily Harvest Limit
- Channel Catfish
 - 6 Fish Daily Harvest Limit
- Large or Smallmouth Bass (14)
 - 14" Minimum Length Limit
 - 3 Fish Daily Harvest Limit

Kent Creek
 Winnebago County
 Trout

- Catch and Release Fishing Only
- Fly Fishing is permitted (9)

Kickapoo State Park Lakes & Pond, Kickapoo State Park
 Vermilion County

- All Fish
 - 2 Pole and Line Fishing Only (1)
- Bluegill or Redear Sunfish (14)
 - 10 Fish Daily Harvest Limit
- Channel Catfish
 - 6 Fish Daily Harvest Limit
- Large or Smallmouth Bass (14)
 - 1 Fish ≥ 15" and 2 Fish < 15" (25)
 - 3 Fish Daily Harvest Limit

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

Kincaid City Reservoir, City of Kincaid

Christian County

- All Fish • 2 Pole and Line Fishing Only (1) (5)
- Channel Catfish • 6 Fish Daily Harvest Limit
- Large or Smallmouth Bass • 15" Minimum Length Limit

King Park Lagoon, City of Pittsfield

Pike County

- All Fish • 2 Pole and Line Fishing Only (1)
- Channel Catfish • 6 Fish Daily Harvest Limit
- Trout • Spring Closed Season (11)

Kinkaid Lake, Kinkaid Lake State Fish and Wildlife Area

Jackson County

- Recreational Use Restrictions • All live bait > 8" must be rigged with a quick set rig (43)
- Large or Smallmouth Bass (14) • 16" Minimum Length Limit
- 3 Fish Daily Harvest Limit
- Pure Muskellunge • 48" Minimum Length Limit (40)
- White, Black, or Hybrid Crappie (15) • 9" Minimum Length Limit
- 25 Fish Daily Harvest Limit

Kinmundy Reservoir, City of Kinmundy

Marion County

- All Fish • 2 Pole and Line Fishing Only (1) (5)
- Channel Catfish • 6 Fish Daily Harvest Limit
- Large or Smallmouth Bass (14) • 15" Minimum Length Limit
- 1 Fish Daily Harvest Limit

Kishwaukee River and South Branch of Kishwaukee River and Tributaries, State of Illinois

Multiple Counties

- Smallmouth Bass • 14" Minimum Length Limit

Lake Atwood, McHenry County Conservation District

McHenry County

- All Fish • 2 Pole and Line Fishing Only (1)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

- | | |
|-------------------------------|------------------------------|
| Channel Catfish | • 6 Fish Daily Harvest Limit |
| Large or Smallmouth Bass (14) | • 15" Minimum Length Limit |
| | • 1 Fish Daily Harvest Limit |
| Trout | • Spring Closed Season (11) |

Lake Bloomington, City of Bloomington
McLean County

- | | |
|---|---|
| All Fish | • 2 Pole and Line Fishing Only (1) |
| Bluegill or Redear Sunfish (14) | • 25 Fish Daily Harvest Limit |
| Large or Smallmouth Bass | • 15" Minimum Length Limit |
| | • 3 Fish Daily Harvest Limit |
| Striped, White, or Hybrid Striped Bass (16) | • <u>10 Fish Daily Harvest Limit with no more than 3 Fish \geq 17" (17) Minimum Length Limit</u> |
| | • 3 Fish Daily Harvest Limit |
| White, Black, or Hybrid Crappie (15) | • 15 Fish Daily Harvest Limit |
| <u>Walleye</u> | • <u>3 Fish Daily Harvest Limit</u> |
| | • <u>18" Minimum Length Limit</u> |

Lake Carlton, Morrison-Rockwood State Park
Whiteside County

- | | |
|--------------------------------------|---|
| Recreational Use Restrictions | • All live bait > 8" must be rigged with a quick set rig (43) |
| All Fish | • 2 Pole and Line Fishing Only (1) |
| Channel Catfish | • 6 Fish Daily Harvest Limit |
| Large or Smallmouth Bass (14) | • 1 Fish Daily Harvest Limit |
| | • 14" Minimum Length Limit |
| Pure Muskellunge | • 36" Minimum Length Limit |
| White, Black, or Hybrid Crappie (15) | • 25 Fish Daily Harvest Limit |

Lake Chaminwood, Will County Forest Preserve District
Will County

- | | |
|---------------------------------|------------------------------------|
| All Fish | • 2 Pole and Line Fishing Only (1) |
| Bluegill or Redear Sunfish (14) | • 15 Fish Daily Harvest Limit |
| Channel Catfish | • 3 Fish Daily Harvest Limit |
| Large or Smallmouth Bass (14) | • 18" Minimum Length Limit |
| | • 1 Fish Daily Harvest Limit |

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

White, Black, or Hybrid Crappie (15) • 15 Fish Daily Harvest Limit

Lake Co. Forest Preserve District Lakes (except Independence Grove Lake), Lake County
Forest Preserve District

Lake County

All Fish • 2 Pole and Line Fishing Only (1)
 Channel Catfish • 3 Fish Daily Harvest Limit
 Large Smallmouth Bass (14) • 1 Fish Daily Harvest Limit
 • 15" Minimum Length Limit
 Walleye, Sauger, or Hybrid Walleye • 16" Minimum Length Limit

Lake Decatur, City of Decatur

Macon County

All Fish • 2 Pole and Line Fishing Only (1) (29) (36)
 White, Black, or Hybrid Crappie (15) • 10" Minimum Length Limit
 • 10 Fish Daily Harvest Limit
 Large or Smallmouth Bass • 14" Minimum Length Limit

Lake Depue Fish and Wildlife Area (33)

Bureau County

Lake Eureka, City of Eureka

Woodford County

All Fish • 2 Pole and Line Fishing Only (1)
 Channel Catfish • 6 Fish Daily Harvest Limit
 Large or Smallmouth Bass (14) • ~~6 Fish Daily Harvest Limit~~ ~~15" Minimum Length Limit~~
 • ~~1 Fish Daily Harvest Limit~~

Lake George, Loud Thunder Forest Preserve

Rock Island County

Recreational Use Restrictions • All live bait > 8" must be rigged with a quick set rig (43)
 All Fish • 2 Pole and Line Fishing Only (1)
 Channel Catfish • 6 Fish Daily Harvest Limit
 Large or Smallmouth Bass • 14" Minimum Length Limit
 Pure Muskellunge • 36" Minimum Length Limit

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

- Striped, White, or Hybrid Striped Bass (16) • 17" Minimum Length Limit
- 1 Fish Daily Harvest Limit
- White, Black, or Hybrid Crappie (15) • 25 Fish Daily Harvest Limit

Lake Jacksonville, City of Jacksonville

Morgan County

- All Fish • 2 Pole and Line Fishing Only (1) (29)
- Channel Catfish • 6 Fish Daily Harvest Limit
- Large or Smallmouth Bass (14) • Protected Slot Length Limit of 14-18" 15" Minimum Length Limit
- 3 Fish Daily Harvest Limit
- Striped, White, or Hybrid Striped Bass (16) • 17" Minimum Length Limit
- 3 Fish Daily Harvest Limit
- White, Black, or Hybrid Crappie (15) • 25 Fish Daily Harvest Limit, singly or in the aggregate, with no more than 10 Fish ≥ 10" 15 Fish Daily Harvest Limit
- 9" Minimum Length Limit

Lake Kakusha, City of Mendota

LaSalle County

- All Fish • 2 Pole and Line Fishing Only (1)
- Channel Catfish • 6 Fish Daily Harvest Limit
- Large or Smallmouth Bass (14) • 14" Minimum Length Limit
- 3 Fish Daily Harvest Limit
- White, Black, or Hybrid Crappie (15) • 25 Fish Daily Harvest Limit

Lake Le-Aqua-Na Kids Only Fishing Pond, Lake Le-Aqua-Na State Park

Stephenson County

- Recreational Use Restrictions • Only kids under 16 years of age permitted to fish
- Channel Catfish • 1 Fish Daily Harvest Limit
- Bluegill or Redear Sunfish and Their Hybrids • 10 Fish Daily Harvest Limit

Lake Le-Aqua-Na, Lake Le-Aqua-Na State Park

Stephenson County

- All Fish • 2 Pole and Line Fishing Only (1)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

- | | |
|--------------------------------------|-------------------------------|
| Channel Catfish | • 6 Fish Daily Harvest Limit |
| Large or Smallmouth Bass (14) | • 1 Fish Daily Harvest Limit |
| | • 14" Minimum Length Limit |
| White, Black, or Hybrid Crappie (15) | • 10 Fish Daily Harvest Limit |

Lake Mattoon, City of Mattoon
Coles/Cumberland/Shelby Counties
Channel Catfish

- 6 Fish Daily Harvest Limit

Lake Mendota, City of Mendota
 LaSalle County

- | | |
|-------------------------------|---|
| All Fish | • 2 Pole and Line Fishing Only (1) |
| Channel Catfish | • 6 Fish Daily Harvest Limit |
| Large or Smallmouth Bass (14) | • Protected Slot Length Limit with only 1 Fish greater than or equal to 15" and/or 2 less than 12" (31) |
| | • 3 Fish Daily Harvest Limit |

Lake Michigan (Illinois Portion) (49), State of Illinois
 Lake/Cook Counties

- | | |
|------------------------------------|---|
| Trout and Salmon | • 10" Minimum Length Limit |
| | • No more than 5 fish of any one species daily, except for Lake Trout |
| Lake Trout | • 2 Fish Daily Harvest Limit |
| Yellow Perch | • 15 Fish Daily Harvest Limit |
| | • Closed May 1 through June 15 |
| Large or Smallmouth Bass (14) | • 21" Minimum Length Limit |
| | • 1 Fish Daily Harvest Limit |
| Lake Whitefish and Round Whitefish | • 12 Fish (in the aggregate) Daily Harvest Limit |

Lake Milliken, Des Plaines Conservation Area
 Will County

- | | |
|--------------------------|------------------------------------|
| All Fish | • 2 Pole and Line Fishing Only (1) |
| Channel Catfish | • 6 Fish Daily Harvest Limit |
| Large or Smallmouth Bass | • Catch and Release Fishing Only |
| Trout | • Spring Closed Season (11) |

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

Lake Mingo & Kennekuk Cove Park Ponds, Vermilion County Conservation Area

Vermilion County

- | | |
|--------------------------------------|--|
| All Fish | • 2 Pole and Line Fishing Only (1) (44) |
| Bluegill or Redear Sunfish (14) | • 20 Fish Daily Harvest Limit with no more than 5 Fish \geq 8" |
| Channel Catfish | • 6 Fish Daily Harvest Limit |
| Large or Smallmouth Bass | • 1 Fish $>$ 15" and 2 Fish $<$ 15" (25) |
| | • 3 Fish Daily Harvest Limit |
| Pure Muskellunge | • 36" Minimum Length Limit (40) |
| White, Black, or Hybrid Crappie (15) | • 9" Minimum Length Limit |
| | • 15 Fish Daily Harvest Limit |

Lake Murphysboro, Lake Murphysboro State Park

Jackson County

- | | |
|-------------------------------|------------------------------------|
| All Fish | • 2 Pole and Line Fishing Only (1) |
| Channel Catfish | • 6 Fish Daily Harvest Limit |
| Large or Smallmouth Bass (14) | • 3 Fish Daily Harvest Limit |

Lake Nellie, City of St. Elmo

Fayette County

- | | |
|-------------------------------|--|
| All Fish | • 2 Pole and Line Fishing Only (1) (5) |
| Channel Catfish | • 6 Fish Daily Harvest Limit |
| Large or Smallmouth Bass (14) | • 3 Fish Daily Harvest Limit |
| | • 14" Minimum Length Limit |

Lake of the Woods & Elk's Pond, Champaign County Forest Preserve District

Champaign County

- | | |
|---------------------------------|--|
| Recreational Use Restrictions | • All live bait $>$ 8" must be rigged with a quick set rig (43) |
| All Fish | • 2 Pole and Line Fishing Only (1) |
| Bluegill or Redear Sunfish (14) | • No more than 5 Fish \geq 7" permitted; unlimited Daily Harvest for Fish $<$ 7" |
| Channel Catfish | • 6 Fish Daily Harvest Limit |
| Large or Smallmouth Bass (14) | • 15" Minimum Length Limit |
| | • 1 Fish Daily Harvest Limit |
| Trout | • Spring Closed Season (11) |

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

Lake Owen, Hazel Crest Park District
Cook County

- | | |
|-----------------|------------------------------------|
| All Fish | • 2 Pole and Line Fishing Only (1) |
| Channel Catfish | • 6 Fish Daily Harvest Limit |

Lake Paradise, City of Mattoon
Coles County

- | | |
|--------------------------|------------------------------------|
| All Fish | • 2 Pole and Line Fishing Only (1) |
| Channel Catfish | • 6 Fish Daily Harvest Limit |
| Large or Smallmouth Bass | • 14" Minimum Length Limit |

Lake Sara, City of Effingham
Effingham County

- | | |
|--------------------------------------|---|
| Large or Smallmouth Bass | • Protected Slot Length Limit of 15-18"14" Minimum Length Limit |
| | • 6 Fish Daily Harvest Limit |
| White, Black, or Hybrid Crappie (15) | • 25 Fish Daily Harvest Limit |

Lake Shelbyville (21), U.S. Army Corps of Engineers
Moultrie/Shelby Counties

- | | |
|--------------------------------------|--|
| Recreational Use Restrictions | • During the regular waterfowl season, no bank or boat fishing shall be permitted on the Kaskaskia River from the Strickland Boat Access north to the Illinois Central Railroad Bridge from one-half hour before sunrise to 1 p.m. |
| | • All live bait > 8" must be rigged with a quick set rig (43) |
| Large or Smallmouth Bass | • 14" Minimum Length Limit |
| Pure Muskellunge | • 48" Minimum Length Limit (40) |
| White, Black, or Hybrid Crappie (15) | • 15 Fish Daily Harvest Limit with only 5 Fish < 10" and 10 Fish ≥ 10" permitted |

Lake Shelbyville – U.S. Army Corps of Engineers Project Ponds (except Woods Lake), and Lake Shelbyville State Fish and Wildlife Management Area Ponds (33)
Moultrie/Shelby Counties

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

- | | |
|--|--|
| <p>All Fish
Channel Catfish
Large or Smallmouth Bass
White, Black, or Hybrid Crappie (15)</p> | <ul style="list-style-type: none"> • 2 Pole and Line Fishing Only (1) • 6 Fish Daily Harvest Limit • 14" Minimum Length Limit • 15 Fish Daily Harvest Limit with only 5 Fish < 10" and 10 Fish ≥ 10" permitted |
| Lake Shermerville , Northbrook Park District | |
| Cook County | |
| <p>All Fish
Bluegill and Redear Sunfish (14)
Channel Catfish
Large or Smallmouth Bass

White, Black, or Hybrid Crappie (15)</p> | <ul style="list-style-type: none"> • 2 Pole and Line Fishing Only • 15 Fish Daily Harvest Limit • 3 Fish Daily Harvest Limit • 1 Fish Daily Harvest Limit • 15" Minimum Length Limit • 15 Fish Daily Harvest Limit |
| Lake Sinnissippi (33) | |
| Whiteside County | |
| Lake Springfield , City of Springfield | |
| Sangamon County | |
| <p>All Fish
Large or Smallmouth Bass
White, Black, or Hybrid Crappie (15)</p> | <ul style="list-style-type: none"> • 2 Pole and Line Fishing Only (1) (5) • 15" Minimum Length Limit • 10 Fish Daily Harvest Limit • 10" Minimum Length Limit |
| Lake Storey , City of Galesburg | |
| Knox County | |
| <p>Recreational Use Restrictions</p> <p>All Fish
Bluegill and Redear Sunfish (14)
Channel or Blue Catfish (14)
Large or Smallmouth Bass (14)</p> <p>Pure Muskellunge</p> | <ul style="list-style-type: none"> • All live bait > 8" must be rigged with a quick set rig (43) • 2 Pole and Line Fishing Only (1) (5) • 25 Fish Daily Harvest Limit • 6 Fish Daily Harvest Limit • <u>Protected Slot Length Limit of 12-18" ± Fish ≥ 15" and/or 5 Fish < 12" Daily Harvest (12)</u> • <u>36</u> Fish Daily Harvest Limit • 42" Minimum Length Limit |

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

- Walleye, Sauger, or Hybrid Walleye (14)
 - 3 Fish Daily Harvest Limit

Lake Strini, Village of Romeoville
Will County

- All Fish
 - 2 Pole and Line Fishing Only (1)
- Channel Catfish
 - 6 Fish Daily Harvest Limit
- Trout
 - Fall Closed Season (10)

Lake Sule, Flagg-Rochelle Park District
Ogle County

- Recreational Use Restrictions
 - All live bait > 8" must be rigged with a quick set rig (43)
- All Fish
 - 2 Pole and Line Fishing Only (1)
- Bluegill or Redear Sunfish (14)
 - 5 Fish Daily Harvest Limit
- Channel Catfish
 - 6 Fish Daily Harvest Limit
- Large or Smallmouth Bass (14)
 - 14" Minimum Length Limit
 - 1 Fish Daily Harvest Limit
- Pure Muskellunge
 - 36" Minimum Length Limit
- White, Black, or Hybrid Crappie (15)
 - 10 Fish Daily Harvest Limit

Lake Taylorville, City of Taylorville
Christian County

- Large or Smallmouth Bass
 - 15" Minimum Length Limit
- White, Black, or Hybrid Crappie (15)
 - ~~9" Minimum Length Limit~~
 - 25 Fish Daily Harvest Limit with no more than 10 Fish ≥ 10"

Lake Vandalia, City of Vandalia
Fayette County

- All Fish
 - 2 Pole and Line Fishing Only (1)
- Channel Catfish
 - 6 Fish Daily Harvest Limit
- Large or Smallmouth Bass
 - 14" Minimum Length Limit
- Striped, White, or Hybrid Striped Bass (16)
 - 17" Minimum Length Limit
 - 3 Fish Daily Harvest Limit

Lake Vermilion, Vermilion County Conservation District

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

Vermilion County

All Fish

- 2 Pole and Line Fishing Only (1) (26) (except that sport fishermen may take carp, carpsuckers, buffalo, gar, bowfin, and suckers by pitchfork, gigs, bow and arrow or bow and arrow devices north of Boiling Springs Road, but not within 300 feet around the wetland boardwalk)
- 15" Minimum Length Limit
- 10 Fish Daily Harvest Limit for Fish < 10"; 10 Fish Daily Harvest Limit for Fish \geq 10" (23)

Large or Smallmouth Bass

White, Black, or Hybrid Crappie (15)

Lake Victoria, City of South Beloit

Winnebago County

All Fish

Channel Catfish

Large or Smallmouth Bass (14)

- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Harvest Limit
- 14" Minimum Length Limit
- 1 Fish Daily Harvest Limit

Lake Williamsville, City of Williamsville

Sangamon County

All Fish

Channel Catfish

- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Harvest Limit

LaSalle Lake, LaSalle Lake State Fish and Wildlife Area

LaSalle County

Recreational Use Restrictions

All Fish

Large or Smallmouth Bass (14)

Striped, White, or Hybrid Striped Bass
(16)

- Waterfowl refuge or hunting area; site regulations apply
- 2 Pole and Line Fishing Only (1)
- 1 Fish Daily Harvest Limit
- 18" Minimum Length Limit
- 10 Fish Harvest Limit with no more than 3 Fish \geq 17" Daily Harvest (17)

Levings Lake, Rockford Park District

Winnebago County

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

- | | |
|-------------------------------|------------------------------------|
| All Fish | • 2 Pole and Line Fishing Only (1) |
| Channel Catfish | • 6 Fish Daily Harvest Limit |
| Large or Smallmouth Bass (14) | • 14" Minimum Length Limit |
| | • 1 Fish Daily Harvest Limit |

Lincoln Log Cabin Pond, Lincoln Log Cabin Historical Site

Coles County

- | | |
|-------------------------------|------------------------------------|
| All Fish | • 2 Pole and Line Fishing Only (1) |
| Channel Catfish | • 6 Fish Daily Harvest Limit |
| Large or Smallmouth Bass (14) | • 15" Minimum Length Limit |
| | • 1 Fish Daily Harvest Limit |

Lincoln Park North Lagoon, Chicago Park District

Cook County

- | | |
|----------|---------------------|
| All Fish | • Closed to Fishing |
|----------|---------------------|

Lincoln Park South Lagoon, Chicago Park District

Cook County

- | | |
|----------|---------------------|
| All Fish | • Closed to Fishing |
|----------|---------------------|

Lincoln Trail Lake, Lincoln Trail State Park

Clark County

- | | |
|---|---|
| All Fish | • 2 Pole and Line Fishing Only (1) |
| Channel Catfish | • 6 Fish Daily Harvest Limit |
| Large or Smallmouth Bass (14) | • Protected Slot Length Limit with 1 Fish \geq greater than or equal to 18" and/or 34 Fish < less than 14" <u>or all 4 Fish may be \leq 14"</u> (38) |
| | • 4 Fish Daily Harvest Limit |
| <u>White, Black, or Hybrid Crappie (15)</u> | • <u>25 Fish Daily Harvest Limit</u> |

Litchfield City Lake, City of Litchfield

Montgomery County

- | | |
|--------------------------------------|---|
| Large or Smallmouth Bass (14) | • 3 Fish Daily Harvest Limit with 1 Fish \geq 15" and 2 Fish $<$ 15" (25) |
| White, Black, or Hybrid Crappie (15) | • 15 Fish Daily Harvest Limit |

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

Loami Reservoir, City of Loami

Sangamon County

- | | |
|--------------------------|------------------------------------|
| All Fish | • 2 Pole and Line Fishing Only (1) |
| Channel Catfish | • 6 Fish Daily Harvest Limit |
| Large or Smallmouth Bass | • 15" Minimum Length Limit |

Lou ~~Yaeger~~Yeager Lake, City of Litchfield

Montgomery County

- | | |
|-------------------------------|------------------------------------|
| All Fish | • 2 Pole and Line Fishing Only (1) |
| Channel Catfish | • 6 Fish Daily Harvest Limit |
| Large or Smallmouth Bass (14) | • 15" Minimum Length Limit |
| | • 3 Fish Daily Harvest Limit |

Mackinaw Ponds 1 and 2, Mackinaw State Fish and Wildlife Area

Tazewell County

- | | |
|-------------------------------|------------------------------|
| Large or Smallmouth Bass (14) | • 15" Minimum Length Limit |
| | • 1 Fish Daily Harvest Limit |

Macon County Conservation District Ponds (see also Rock Springs Pond and Rock Springs Bike Trail Pond), Macon County Conservation District

Macon County

- | | |
|----------|------------------------------------|
| All Fish | • 2 Pole and Line Fishing Only (1) |
|----------|------------------------------------|

~~**Mallard Lake**, DuPage County Forest Preserve District~~~~DuPage County~~

- | | |
|--|---|
| Recreational Use Restrictions | • All live bait > 8" must be rigged with a quick set rig (43) |
| All Fish | • 2 Pole and Line Fishing Only (1) |
| Channel Catfish | • 3 Fish Daily Harvest Limit |
| Large or Smallmouth Bass (14) | • 12" Minimum Length Limit |
| Pure Muskellunge | • 15" Minimum Length Limit |
| Walleye, Sauger, or Hybrid Walleye (14) | • 3 Fish Daily Harvest Limit |
| White, Black, or Hybrid Crappie (15) | • 48" Minimum Length Limit (40) |
| | • 16" Minimum Length Limit |
| | • 3 Fish Daily Harvest Limit |
| | • 9" Minimum Length Limit |
| | • 15 Fish Daily Harvest Limit |

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

Maple Lake, Cook County Preserve District
Cook County

- All Fish • 2 Pole and Line Fishing Only (1) (36)
- Bluegill, Redear, or Pumpkinseed • 15 Fish Daily Harvest Limit
- Sunfish (14)
- Channel Catfish • 6 Fish Daily Harvest Limit
- Large or Smallmouth Bass • 14" Minimum Length Limit
- White, Black, or Hybrid Crappie (15) • 15 Fish Daily Harvest Limit

Marine Heritage Lake, Village of Marine
Madison County

- All Fish • 2 Pole and Line Fishing Only (1)
- Bluegill or Redear Sunfish (14) • 25 Fish Daily Harvest Limit
- Channel Catfish • 6 Fish Daily Harvest Limit
- Large or Smallmouth Bass (14) • 15" Minimum Length Limit
- 3 Fish Daily Harvest Limit

Marissa City Lake, City of Marissa
St. Clair County

- All Fish • 2 Pole and Line Fishing Only (1)
- Channel Catfish • 6 Fish Daily Harvest Limit

Marquette Park Lagoon, Chicago Park District
Cook County

- All Fish • 2 Pole and Line Fishing Only (1)
- Channel Catfish • 4 Fish Daily Harvest Limit

Marshall County Conservation Area (Fishing Ditch), Marshall County Conservation Area
(33)

Marshall County

- All Fish • 2 Pole and Line Fishing Only (1)

Marshall County Conservation Area – Sparland Unit (33)

Marshall County

Mascoutah Reservoir, City of Mascoutah

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

St. Clair County

- All Fish
 - Channel Catfish
 - Large or Smallmouth Bass (14)
- 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Harvest Limit
 - 15" Minimum Length Limit
 - 3 Fish Daily Harvest Limit

Matthiessen Lake, Matthiessen State Park**LaSalle County**

- All Fish
 - Bluegill or Redear Sunfish (14)
 - Channel Catfish
 - Large or Smallmouth Bass
- 2 Pole and Line Fishing Only (1)
 - 10 Fish Daily Harvest Limit
 - 6 Fish Daily Harvest limit
 - 14" Minimum Length Limit

Mattoon Lake, City of Mattoon**Coles County**

- All Fish
 - Large or Smallmouth Bass
- 2 Pole and Line Fishing Only (1)
 - 14" Minimum Length Limit

Mautino Fish and Wildlife Area, Mautino Fish and Wildlife Area**Bureau County**

- All Fish
 - Bluegill or Redear Sunfish (14)
 - Channel Catfish
 - Large or Smallmouth Bass (14)
- 2 Pole and Line Fishing Only (1) (34)
 - 10 Fish Daily Harvest Limit
 - 6 Fish Daily Harvest Limit
 - 14" Minimum Length Limit
 - 1 Fish Daily Harvest Limit

Mauvaise Terre/Morgan Lake, City of Jacksonville**Morgan County**

- Large or Smallmouth Bass
 - Trout
- 15" Minimum Length Limit
 - Fall Closed Season (10)
 - No Harvest with Hook and Line. Catch and Release Fly Fishing Permitted (9)
 - Spring Closed Season (11)
 - No Harvest with Hook and Line. Catch and Release Fly Fishing Permitted (9)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

Mazonia Lakes & Ponds (excluding Ponderosa Lake), Mazonia State Fish and Wildlife Area (33)

Grundy/Kankakee/Will Counties

- | | |
|--------------------------------------|------------------------------------|
| All Fish | • 2 Pole and Line Fishing Only (1) |
| Channel Catfish | • 6 Fish Daily Harvest Limit |
| Large or Smallmouth Bass (14) | • 15" Minimum Length Limit |
| | • 3 Fish Daily Harvest Limit |
| White, Black, or Hybrid Crappie (15) | • 10 Fish Daily Harvest Limit |

McCullom Lake, City of McHenry

McHenry County

- | | |
|---------------------------------|------------------------------------|
| All Fish | • 2 Pole and Line Fishing Only (1) |
| Bluegill or Redear Sunfish (14) | • 25 Fish Daily Harvest Limit |
| Channel Catfish | • 6 Fish Daily Harvest Limit |
| Large or Smallmouth Bass (14) | • 15" Minimum Length Limit |
| | • 1 Fish Daily Harvest Limit |

McKinley Park Lagoon, Chicago Park District

Cook County

- | | |
|-----------------|------------------------------------|
| All Fish | • 2 Pole and Line Fishing Only (1) |
| Channel Catfish | • 4 Fish Daily Harvest Limit |

McLeansboro City Lakes, City of McLeansboro

Hamilton County

- | | |
|--------------------------|------------------------------------|
| All Fish | • 2 Pole and Line Fishing Only (1) |
| Channel Catfish | • 6 Fish Daily Harvest Limit |
| Large or Smallmouth Bass | • 14" Minimum Length Limit |

Mechanicsburg Park Pond, City of Mechanicsburg

Sangamon County

- | | |
|-------------------------------|------------------------------------|
| All Fish | • 2 Pole and Line Fishing Only (1) |
| Channel Catfish | • 3 Fish Daily Harvest Limit |
| Large or Smallmouth Bass (14) | • 15" Minimum Length Limit |
| | • 3 Fish Daily Harvest Limit |

Meredosia Lake – Cass County Portion Only (meandered waters only) (33)

Cass County

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

Meredosia Lake, Cass County Portion
Cass County

Recreational Use Restrictions

- Meandered waters only; All boat traffic is prohibited from operating on meandered waters (except non-motorized boats may be used to assist in the retrieval of waterfowl shot from private land) from the period from one week before waterfowl season opens until the season closes; hunting and/or any other activity is prohibited during the period from one week before waterfowl season opens until the season closes

Mermet State Lake, Mermet Lake Conservation Area (33)

Massac County

All Fish

- 2 Pole and Line Fishing Only (1) (5)

Channel Catfish

- 6 Fish Daily Harvest Limit

Large or Smallmouth Bass

- 16" Minimum Length Limit

White, Black, or Hybrid Crappie (15)

- 3 Fish Daily Harvest Limit

- 25 Fish Daily Harvest Limit

Middle Fork Forest Preserve Pond, Champaign County Forest Preserve

Champaign County

All Fish

- 2 Pole and Line Fishing Only (1)

Bluegill or Redear Sunfish (14)

- 25 Fish Daily Harvest Limit

Channel Catfish

- 6 Fish Daily Harvest Limit

Large or Smallmouth Bass

- 14" Minimum Length Limit

Middle Fork of the Vermilion River, Kickapoo State Park and Middle Fork Fish and Wildlife Area

Vermilion County

All Fish

- 2 Pole and Line Fishing Only (1)

Mill Creek Lake, Clark County Park District

Clark County

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

- Recreational Use Restrictions
- All live bait > 8" must be rigged with a quick set rig (43)
- All Fish
- 2 Pole and Line Fishing Only (1)
- Channel Catfish
- 6 Fish Daily Harvest Limit
- Large or Smallmouth Bass (14)
- 4 Fish < 15" and 1 fish ≥ 15" daily
 - 5 Fish Daily Harvest Limit
- Pure Muskellunge
- 42" Minimum Length Limit
- White, Black, or Hybrid Crappie (15)
- 25 Fish Daily Harvest Limit, of which only 2 fish can be 12" or longer

Mill Pond, Pearl City Park District
Stephenson County

- All Fish
- 2 Pole and Line Fishing Only (1)
- Large or Smallmouth Bass (14)
- 14" Minimum Length Limit
 - 1 Fish Daily Harvest Limit

Mill Race Ponds, Belvidere Park District
Boone County

- All Fish
- 2 Pole and Line Fishing Only (1)
- Channel Catfish
- 6 Fish Daily Harvest Limit
- Trout
- Spring Closed Season (11)

Miller Park Lake, Bloomington Park District
McLean County

- All Fish
- 2 Pole and Line Fishing Only (1)
- Channel Catfish
- 3 Fish Daily Harvest Limit
- Large or Smallmouth Bass (14)
- 15" Minimum Length Limit
 - 3 Fish Daily Harvest Limit
- Trout
- Spring Closed Season (11)

Mineral Springs Park Lagoon, City of Pekin
Tazewell County

- All Fish
- 2 Pole and Line Fishing Only (1)
- Channel Catfish
- 6 Fish Daily Harvest Limit
- Trout
- Fall Closed Season (10)

Mississippi River Pools 16, 17, 18, 21, 22, 24 (33)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

Multiple Counties

Mississippi River Pools 25 and 26 (19)

Multiple Counties

Mississippi River (between IL & IA), State of Illinois

Multiple Counties

Recreational Use Restrictions

- Any tagged sport fishing device may not be left unattended for more than 24 hours or must be completely removed
- Maximum treble hook size is 5/0; gaffs may not be used to land paddlefish
- [Spring Lake in Carroll County is closed to fishing during the 7 days prior to the regular duck season and during the regular duck and Canada goose season except in areas posted as open to fishing](#)

All Fish

- Anglers must not use more than 2 poles and each pole must not have more than 2 hooks or lures while trolling

Bluegill or Pumpkinseed Sunfish

- 25 Fish Daily Harvest Limit singly or in the aggregate

Large or Smallmouth Bass (14)

- 14" Minimum Length Limit
- 5 Fish Daily Harvest Limit

Northern Pike

- 5 Fish Daily Harvest Limit

Paddlefish

- Snagging for paddlefish is permitted from ½ hour before sunrise to ½ hour after sunset daily, March 1 through April 15 within a 500 yard downstream limit below locks and dams on the Mississippi River between Illinois and Iowa; Daily Harvest Limit is 2 fish; the maximum length limit for paddlefish taken from the Mississippi River between Illinois and Iowa is 33" eye-to-fork length (all paddlefish \geq to 33" must be immediately released back to the Mississippi River); no sorting allowed;

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

- once the daily limit of paddlefish has been reached, snagging must cease
- 25 Fish Daily Harvest Limit
 - 25 Fish Daily Harvest Limit singly or in the aggregate – statewide regulation limiting Daily Harvest to 3 fish $\geq 17"$ is not in effect on the Mississippi River between Illinois and Iowa
- Rock Bass
- Striped, White, Yellow or Hybrid Striped Bass
- 6 Fish Daily Harvest Limit with no more than 1 Walleye $\geq 27"$ in total length
- Walleye and Sauger (14)
- Walleye
- 15" Minimum Length Limit with no possession of Fish ~~\geq greater than or equal to 20"~~ and ~~\leq less than 27"~~ Protected Slot Length Limit (24)
- White, Black, or Hybrid Crappie (15)
- 25 Fish Daily Harvest Limit singly or in the aggregate
- Yellow Perch
- 25 Fish Daily Harvest Limit

Mississippi River (between IL & MO), State of Illinois

Multiple Counties

Recreational Use Restrictions

- Boating prohibited on refuge area (Ellis Bay) immediately upstream of Melvin Price Lock and Dam 26 overflow dike from October 15-April 15
- Any tagged sport fishing device may not be left unattended for more than 24 hours or must be completely removed
- 100 Total Fish Daily Harvest Limit

All Nongame Species Combined

(Excludes endangered and threatened species and the following game species: Crappie, Channel/Blue/Flathead Catfish, Rock Bass, Warmouth, White/Yellow/Striped/Hybrid Striped Bass, Trout, Largemouth/Smallmouth/Spotted Bass, Muskellunge, Northern Pike,

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

<p>Chain/Grass Pickerel, Walleye, Sauger, Paddlefish) Channel or Blue Catfish (14) Flathead Catfish Largemouth, Smallmouth, Spotted Bass Northern Pike Paddlefish</p>	<ul style="list-style-type: none"> • 20 Fish Daily Harvest Limit • 10 Fish Daily Harvest Limit • 12" Minimum Length Limit or
<p>Striped, White, Yellow or Hybrid Striped Bass</p>	<ul style="list-style-type: none"> • 1 Fish Daily Harvest Limit • 24" Eye-to-Fork Minimum Length Limit • Snagging for paddlefish is permitted from September 15 through December 15 and March 15 through May 15 within a 300 yard downstream limit below locks and dams on the Mississippi River between Illinois and Missouri except for the Chain of Rocks low water dam at Chouteau Island, also known as Dam 27 at the Chain of Rocks (Madison County) where no snagging is permitted; Daily Harvest Limit is 2 fish; sorting is permitted; every paddlefish ≥ 24" in eye-to-fork length must be taken into immediate possession and included in the Daily Harvest Limit; paddlefish < 24" eye to fork length must be returned immediately to the water; once the daily limit of paddlefish has been reached, snagging must cease • 30 Fish Daily Harvest Limit singly or in the aggregate – statewide regulation limiting daily harvest to 3 fish ≥ 17" is not in effect on the Mississippi River between Illinois and Missouri
<p>Walleye and Sauger (14)</p>	<ul style="list-style-type: none"> • 6 Fish Daily Harvest Limit • 14" Minimum Length Limit
<p>White, Black, or Hybrid Crappie (15)</p>	<ul style="list-style-type: none"> • 30 Fish Daily Harvest Limit

Monee Reservoir, Will County Forest Preserve District
Will County

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

- | | |
|--------------------------------------|------------------------------------|
| All Fish | • 2 Pole and Line Fishing Only (1) |
| Channel Catfish | • 6 Fish Daily Harvest Limit |
| Large or Smallmouth Bass (14) | • 1 Fish Daily Harvest Limit |
| | • 15" Minimum Length Limit |
| White, Black, or Hybrid Crappie (15) | • 15 Fish Daily Harvest Limit |

Montrose Lake, City of Montrose

Cumberland County

- | | |
|-----------------------------|--|
| All Fish | • 2 Pole and Line Fishing Only (1) |
| Channel Catfish | • 6 Fish Daily Harvest Limit |
| Large or Smallmouth Bass | • 14" Minimum Length Limit |
| Bluegill and Redear Sunfish | • 15 Fish, singly or in the aggregate, Daily Harvest Limit |

Mt. Olive City Lakes (Old and New), City of Mt. Olive

Macoupin County

- | | |
|-------------------------------|------------------------------------|
| All Fish | • 2 Pole and Line Fishing Only (1) |
| Channel Catfish | • 6 Fish Daily Harvest Limit |
| Large or Smallmouth Bass (14) | • 15" Minimum Length Limit |
| | • 3 Fish Daily Harvest Limit |

Mt. Pulaski Park District Lake, Mt. Pulaski Park District

Logan County

- | | |
|--------------------------------------|-------------------------------------|
| All Fish | • 2 Pole and Line Fishing Only (1) |
| Channel Catfish | • 3 Fish Daily Harvest Limit |
| <u>Large or Smallmouth Bass (14)</u> | • <u>18" Minimum Length Limit</u> |
| | • <u>1 Fish Daily Harvest Limit</u> |

Mt. Sterling Lake, City of Mt. Sterling

Brown County

- | | |
|--------------------------|---|
| All Fish | • 2 Pole and Line Fishing Only (1) |
| Channel Catfish | • 6 Fish Daily Harvest Limit |
| Large or Smallmouth Bass | • Protected Slot Length Limit with no possession of Fish ≤less than 15" and ≥greater than or equal to 12" (3) |

Mt. Vernon City Park Lake, City of Mt. Vernon

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

Jefferson County

- All Fish
 - Channel Catfish
 - Large or Smallmouth Bass (14)
- 2 Pole and Line Fishing Only (1) (5)
 - 6 Fish Daily Harvest Limit
 - 15" Minimum Length Limit
 - 3 Fish Daily Harvest Limit

Mt. Vernon Game Farm Pond, Mt. Vernon Game Farm

Jefferson County

- All Fish
 - Trout
- 2 Pole and Line Fishing Only (1)
 - Fall Closed Season (10)
 - Spring Closed Season (11)

Mundelein Park District Ponds, City of Mundelein

Lake County

- All Fish
 - Channel Catfish
 - Large or Smallmouth Bass (14)
- 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Harvest Limit
 - 15" Minimum Length Limit
 - 3 Fish Daily Harvest Limit

Nashville City Lake, City of Nashville

Washington County

- All Fish
 - Channel Catfish
 - Large or Smallmouth Bass
- 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Harvest Limit
 - 18" Minimum Length Limit
 - 1 Fish Daily Harvest Limit

Newton Lake, Newton Lake State Fish and Wildlife Area (41) (33)

Jasper County

- Recreational Use Restrictions
- The cold water arm of Newton Lake shall be closed daily from one-half hour before sunrise until 1:00 p.m. to all fishing and boat traffic except for legal waterfowl hunters during waterfowl season commencing with regular duck season through the close of the Canada goose and regular duck season; fishing tournaments prohibited from June 1 through August 31

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

- | | |
|--|--|
| All Fish | <ul style="list-style-type: none"> • 2 Pole and Line Fishing Only (1) (5) • Closed for Regular Shotgun Deer Season |
| Large or Smallmouth Bass (14) | <ul style="list-style-type: none"> • 18" Minimum Length Limit • 3 Fish Daily Harvest Limit |
| White, Black, or Hybrid Crappie (15) | <ul style="list-style-type: none"> • 10 Fish Daily Harvest Limit • 10" Minimum Length Limit |
|
 | |
| Norris City Reservoir, City of Norris City | |
| White County | |
| All Fish | <ul style="list-style-type: none"> • 2 Pole and Line Fishing Only (1) |
| Channel Catfish | <ul style="list-style-type: none"> • 6 Fish Daily Harvest Limit |
| Large or Smallmouth Bass | <ul style="list-style-type: none"> • 15" Minimum Length Limit |
|
 | |
| Oakland City Lake, City of Oakland | |
| Coles County | |
| All Fish | <ul style="list-style-type: none"> • 2 Pole and Line Fishing Only (1) |
| Channel Catfish | <ul style="list-style-type: none"> • 6 Fish Daily Harvest Limit |
| Large or Smallmouth Bass | <ul style="list-style-type: none"> • 14" Minimum Length Limit |
|
 | |
| Oblong Lake, City of Oblong | |
| Crawford County | |
| All Fish | <ul style="list-style-type: none"> • 2 Pole and Line Fishing Only (1) |
| Channel Catfish | <ul style="list-style-type: none"> • 6 Fish Daily Harvest Limit |
| Large or Smallmouth Bass (14) | <ul style="list-style-type: none"> • 15" Minimum Length Limit • 3 Fish Daily Harvest Limit |
|
 | |
| Ohio River (between IL & KY), State of Illinois | |
| Multiple Counties | |
| Large or Smallmouth Bass | <ul style="list-style-type: none"> • 12" Minimum Length Limit |
| Northern Pike | <ul style="list-style-type: none"> • No24" Minimum Length Limit • No3 Fish Daily Harvest Limit |
| Muskie or Tiger Muskie | <ul style="list-style-type: none"> • 1 Fish Daily Harvest Limit • 36" Minimum Length Limit |
| Walleye, Sauger, or Hybrid Walleye (14) | <ul style="list-style-type: none"> • 106 Fish Daily Harvest Limit • 14" Minimum Length Limit |
| White, Black, or Hybrid Crappie (15) | <ul style="list-style-type: none"> • 30 Fish Daily Harvest Limit • |

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

Striped, White, Yellow or Hybrid
Striped Bass

30 Fish Daily Harvest Limit, singly or in the aggregate, of which no more than 4 Fish \geq 15" Daily (32)

Ohio River (between IL & KY), State of Illinois and Wabash River, various counties (between IL and IN)

Channel Catfish

- 1 Fish Daily Harvest Limit for Fish \geq 28"
- No Daily Harvest Limit for Fish \geq 13" and < 28"
- No harvest < 13"

Blue and Flathead Catfish

- 1 Fish Daily Harvest Limit for Fish \geq 35"
- No Daily Harvest Limit for Fish \geq 13" and < 35"
- No harvest < 13"

Ohio River – Smithland Pool Tributary Streams (in Pope/Hardin/Gallatin Counties, excluding Wabash River and Saline River Above Route 1 Bridge)

Multiple Counties

Large or Smallmouth Bass

- 12" Minimum Length Limit

Old Kinmundy Reservoir, City of Kinmundy

Marion County

All Fish

- 2 Pole and Line Fishing Only (1) (5)

Channel Catfish

- 6 Fish Daily Harvest Limit

Large or Smallmouth Bass

- 15" Minimum Length Limit

Olsen Lake, Rock Cut State Park

Winnebago County

All Fish

- 2 Pole and Line Fishing Only (1)

Channel Catfish

- 6 Fish Daily Harvest Limit

Large or Smallmouth Bass (14)

- 14" Minimum Length Limit
- 1 Fish Daily Harvest Limit

Omaha City Reservoir, City of Omaha

Gallatin County

All Fish

- 2 Pole and Line Fishing Only (1)

Channel Catfish

- 6 Fish Daily Harvest Limit

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

- Large or Smallmouth Bass • 14" Minimum Length Limit

Omaha Township Reservoir, City of Omaha

Gallatin County

- All Fish • 2 Pole and Line Fishing Only (1)
Channel Catfish • 6 Fish Daily Harvest Limit
Large or Smallmouth Bass • 14" Minimum Length Limit

Otter Lake, Otter Lake Water Commission

Macoupin County

- Recreational Use Restrictions • All live bait > 8" must be rigged with a quick set rig (43)
All Fish • 2 Pole and Line Fishing Only (1) (5)
Channel Catfish • 6 Fish Daily Harvest Limit
Large or Smallmouth Bass (14) • 15" Minimum Length Limit
• 3 Fish Daily Harvest Limit
Striped, White, or Hybrid Striped Bass (16) • 10 Fish Daily Harvest, singly or in the aggregate, of which only 3 Fish may be \geq 17" (17)
Pure Muskellunge • 48" Minimum Length Limit (40)

Palmissano Pond (Stern's Park Quarry), Chicago Park District

Cook County

- All Fish • 2 Pole and Line Fishing Only (1)
• Catch and Release Fishing Only (9)

Palmyra – Modesto Water Commission Lake, Palmyra/Modesto Water Commission

Macoupin County

- All Fish • 2 Pole and Line Fishing Only (1)
Channel Catfish • 6 Fish Daily Harvest Limit
Large or Smallmouth Bass (14) • 15" Minimum Length Limit
• 3 Fish Daily Harvest Limit

Pana Lake, City of Pana

Shelby and Christian Counties

- Recreational Use Restrictions • All live bait > 8" must be rigged with a quick set rig (43)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

- | | |
|--------------------------|------------------------------------|
| All Fish | • 2 Pole and Line Fishing Only (1) |
| Channel Catfish | • 6 Fish Daily Harvest Limit |
| Large or Smallmouth Bass | • 14" Minimum Length Limit |
| Pure Muskellunge | • 48" Minimum Length Limit |
| | • 1 Fish Daily Harvest Limit |

Paris East & West Lakes, City of Paris

Edgar County

- | | |
|--------------------------|--|
| All Fish | • 2 Pole and Line Fishing Only (1) (5) |
| Channel Catfish | • 6 Fish Daily Harvest Limit |
| Large or Smallmouth Bass | • 14" Minimum Length Limit |

Peabody River King, Pit #3 Lakes and Ponds, River King State Conservation Area (see also Willow Lake for additional regulations)

St Clair County

- | | |
|--------------------------------------|--|
| All Fish | • 2 Pole and Line Fishing Only (1) (5) |
| Channel Catfish | • 6 Fish Daily Harvest Limit |
| Large or Smallmouth Bass (14) | • 15" Minimum Length Limit |
| | • 3 Fish Daily Harvest Limit |
| White, Black, or Hybrid Crappie (15) | • 25 Fish Daily Harvest Limit |
| | • 9" Minimum Length Limit |

Pecatonica River and Tributaries, State of Illinois

Winnebago/Stephenson Counties

- | | |
|-----------------|----------------------------|
| Smallmouth Bass | • 14" Minimum Length Limit |
|-----------------|----------------------------|

Perry Farm Pond, Bourbonnais Park District

Kankakee County

- | | |
|-----------------|------------------------------------|
| All Fish | • 2 Pole and Line Fishing Only (1) |
| Channel Catfish | • 6 Fish Daily Harvest Limit |

Piasa (19)

Madison/Jersey Counties

Pierce Lake, Rock Cut State Park

Winnebago County

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

- Recreational Use Restrictions
- All live bait > 8" must be rigged with a quick set rig (43)
- All Fish
- 2 Pole and Line Fishing Only (1) (7)
- Channel Catfish
- 6 Fish Daily Harvest Limit
- Large or Smallmouth Bass (14)
- 1 Fish Daily Harvest Limit
 - 15" Minimum Length Limit
- Pure Muskellunge
- 48" Minimum Length Limit (40)
- White, Black, or Hybrid Crappie (15)
- 25 Fish Daily Harvest Limit

Pinckneyville Lake, City of Pinckneyville

Perry County

- Large or Smallmouth Bass (14)
- 18" Minimum Length Limit
 - 1 Fish Daily Harvest Limit

Pine Creek (within the boundaries of White Pines Forest State Park)

Ogle County

- All Fish
- 2 Pole and Line Fishing Only (1)
- Trout
- Spring Closed Season (11)
 - No harvest with Hook and Line; Catch and Release Fly Fishing permitted (9)
 - Fall Closed Season (10)
 - No harvest with Hook and Line; Catch and Release Fly Fishing permitted (9)

Piscasaw Creek

McHenry County

- Trout
- Spring Closed Season (11)

Pittsfield City Lake, City of Pittsfield

Pike County

- All Fish
- 2 Pole and Line Fishing Only (1) (7)
- Large or Smallmouth Bass
- 14" Minimum Length Limit
- Striped, White, or Hybrid Striped Bass (16)
- 17" Minimum Length
 - 3 Fish Daily Harvest Limit

Pocahontas Park Ponds, City of Pocahontas

Bond County

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

- | | |
|-----------------|------------------------------------|
| All Fish | • 2 Pole and Line Fishing Only (1) |
| Channel Catfish | • 6 Fish Daily Harvest Limit |

Ponderosa Lake, Mazonia State Fish and Wildlife Area (33)

Kankakee County

- | | |
|--------------------------------------|------------------------------------|
| All Fish | • 2 Pole and Line Fishing Only (1) |
| Bluegill or Redear Sunfish (14) | • 10 Fish Daily Harvest Limit |
| Channel Catfish | • 6 Fish Daily Harvest Limit |
| Large or Smallmouth Bass (14) | • 15" Minimum Length Limit |
| | • 3 Fish Daily Harvest Limit |
| White, Black, or Hybrid Crappie (15) | • 10 Fish Daily Harvest Limit |

Powerton Lake, Powerton Lake Fish and Wildlife Area (39)

Tazewell County

- | | |
|---|---|
| Recreational Use Restrictions | • Powerton Lake shall be closed to boat traffic except for legal waterfowl hunters from one week prior to regular waterfowl season to February 15, and closed to all unauthorized entry during regular Canada goose and duck season |
| All Fish | • 2 Pole and Line Fishing Only (1) |
| Channel or Blue Catfish (14) | • 6 Fish Daily Harvest Limit |
| Large or Smallmouth Bass (14) | • 18" Minimum Length Limit |
| | • 1 Fish Daily Harvest Limit |
| Striped, White, or Hybrid Striped Bass (16) | • 10 Fish Daily Harvest Limit, singly or in the aggregate, with no more than 3 Fish \geq 17" (17) |
| Walleye, Sauger, or Hybrid Walleye (14) | • 3 Fish Daily Harvest Limit |
| | • 18" Minimum Length Limit |

Prospect Pond, City of Moline

Rock Island County

- | | |
|-------|---------------------------|
| Trout | • Fall Closed Season (10) |
|-------|---------------------------|

Pyramid State Park – Blue Wing Lake, Green Wing Lake and Goldeneye Lake, Pyramid

State Park

Perry County

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

- | | |
|---|---|
| <p>Recreational Use Restrictions</p> <p>All Fish</p> <p>Bluegill or Redear Sunfish (14)</p> <p>Channel Catfish</p> <p>Large or Smallmouth Bass (14)</p> <p>Pure Muskellunge</p> <p>White, Black, or Hybrid Crappie (15)</p> | <ul style="list-style-type: none"> • Waterfowl Hunting Area (from November 1 through the last day in February, fishing is permitted in designated areas only, and fishing hours are from ½ hour before sunrise to 2 p.m.) • All live bait > 8" must be rigged with a quick set rig (43) • 2 Pole and Line Fishing Only (1) (5) • 25 Fish Daily Harvest Limit • 6 Fish Daily Harvest Limit • Protected Slot Length Limit with 1 Fish ≥greater than or equal to 18" and/or 5 fish ≤less than 14" (38) • 48" Minimum Length Limit • 25 Fish Daily Harvest Limit |
|---|---|

Pyramid State Park – Captain, Denmark, Galum and East Conant Areas – All Lakes and Ponds except Blue Wing Lake, Green Wing Lake and Goldeneye Lake, Pyramid State Park Perry County

- | | |
|---|---|
| <p>Recreational Use Restrictions</p> <p>All Fish</p> <p>Bluegill or Redear Sunfish (14)</p> <p>Channel Catfish</p> <p>Large or Smallmouth Bass (14)</p> <p>Pure Muskellunge</p> <p>White, Black, or Hybrid Crappie (15)</p> | <ul style="list-style-type: none"> • Waterfowl Refuge or Hunting Area (all use other than waterfowl hunting prohibited from November 1 through the last day in February) • All live bait > 8 inches must be rigged with a quick set rig (43) • 2 Pole and Line Fishing Only (1) (5) • 25 Fish Daily Harvest Limit • 6 Fish Daily Harvest Limit • Protected Slot Length Limit with only 1 Fish ≥greater than or equal to 18" and/or 5 Fish ≤less than 14" (38) • 48" Minimum Length Limit • 25 Fish Daily Harvest Limit |
|---|---|

Pyramid State Park Lakes & Ponds (excluding Captain, Denmark, Galum~~Galum~~ and East Conant Areas), Pyramid State Park Perry County

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

- | | |
|-------------------------------|--|
| All Fish | • 2 Pole and Line Fishing Only (1) (5) |
| Channel Catfish | • 6 Fish Daily Harvest Limit |
| Large or Smallmouth Bass (14) | • Protected Slot Length Limit with only 1 Fish ≥greater than or equal to 18" and/or 5 Fish ≤less than 14" (38) |

Raccoon Lake, City of Centralia

Marion County

- | | |
|--------------------------|------------------------------------|
| All Fish | • 2 Pole and Line Fishing Only (1) |
| Channel Catfish | • 6 Fish Daily Harvest Limit |
| Large or Smallmouth Bass | • 15" Minimum Length Limit |

Ramsey Lake, Ramsey Lake State Park

Fayette County

- | | |
|--------------------------------------|------------------------------------|
| All Fish | • 2 Pole and Line Fishing Only (1) |
| Bluegill or Redear Sunfish (14) | • 25 Fish Daily Harvest Limit |
| Channel Catfish | • 6 Fish Daily Harvest Limit |
| Large or Smallmouth Bass | • 14" Minimum Length Limit |
| White, Black, or Hybrid Crappie (15) | • 10 Fish Daily Harvest Limit |
| | • 9" Minimum Length Limit |

Ramsey Lake State Park Ponds, Ramsey Lake State Park

Fayette County

- | | |
|--------------------------|------------------------------------|
| All Fish | • 2 Pole and Line Fishing Only (1) |
| Channel Catfish | • 6 Fish Daily Harvest Limit |
| Large or Smallmouth Bass | • 14" Minimum Length Limit |

Randolph County Lake, Randolph County Conservation Area

Randolph County

- | | |
|-------------------------------|------------------------------------|
| All Fish | • 2 Pole and Line Fishing Only (1) |
| Channel Catfish | • 6 Fish Daily Harvest Limit |
| Large or Smallmouth Bass (14) | • 14" Minimum Length Limit |
| | • 3 Fish Daily Harvest Limit |
| Trout | • Fall Closed Season (10) |

Red Hills Lake, Red Hills State Park

Lawrence County

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

- | | |
|--------------------------|------------------------------------|
| All Fish | • 2 Pole and Line Fishing Only (1) |
| Channel Catfish | • 6 Fish Daily Harvest Limit |
| Large or Smallmouth Bass | • 15" Minimum Length Limit |

Red's Landing Wildlife Management Area (19)

Calhoun County

[\(Access to walk-in/Walk-in](#) area closed ~~to trespassing~~ 7 days prior to duck season)**Redwing Slough/Deer Lake (33)**

Lake County

Rend Lake, U.S. Army Corps of Engineers (22) (33)

Franklin and Jefferson Counties

- | | |
|--|---|
| Channel Catfish | • All jugs must be attended at all times while fishing (2) |
| Large or Smallmouth Bass | • 14" Minimum Length Limit |
| Striped, White, Yellow, or Hybrid Striped Bass (8) | • 20 Fish Daily Harvest Limit, singly or in the aggregate, with no more than 3 Fish \geq 17" |
| White, Black, or Hybrid Crappie (15) | • 25 Fish Daily Harvest Limit, singly or in the aggregate, with no more than 10 Fish \geq 10" |

Rend Lake Project Ponds – Jackie Branch Pond, Ina N. Borrow Pit, Green Heron Pond, North Marcum Campground Pond, U.S. Army Corps of Engineers

Franklin and Jefferson Counties

- | | |
|---------------------------------|------------------------------------|
| All Fish | • 2 Pole and Line Fishing Only (1) |
| Bluegill or Redear Sunfish (14) | • 10 Fish Daily Harvest Limit |
| Channel Catfish | • 6 Fish Daily Harvest Limit |
| Large or Smallmouth Bass (14) | • 14" Minimum Length Limit |
| | • 1 Fish Daily Harvest Limit |

Rice Lake Fish and Wildlife Area (33) (34)

Fulton County

Ridge Lake, Fox Ridge State Park

Coles County

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

- | | |
|--------------------------|---|
| All Fish | • 2 Pole and Line Fishing Only (1) (27) |
| Channel Catfish | • 14" Minimum Length Limit |
| Large or Smallmouth Bass | • 14" Minimum Length Limit |

Riis Park Lagoon, Chicago Park District

Cook County

- | | |
|-----------------|------------------------------------|
| All Fish | • 2 Pole and Line Fishing Only (1) |
| Channel Catfish | • 4 Fish Daily Harvest Limit |

Riprap Landing (19)

Calhoun County

River Bend Forest Preserve Lakes (Sunset Lake and Shadow Lake), Champaign County Forest Preserve District

Champaign County

- | | |
|--------------------------------------|---|
| All Fish | • 2 Pole and Line Fishing Only (1) |
| Bluegill or Redear Sunfish (14) | • 15 Fish Daily Harvest Limit |
| Channel Catfish | • 6 Fish Daily Harvest Limit |
| Large or Smallmouth Bass | • 1 Fish \geq 15" and 2 Fish $<$ 15" (25) |
| | • 3 Fish Daily Harvest Limit |
| White, Black, or Hybrid Crappie (15) | • 9" Minimum Length Limit |
| | • 10 Fish Daily Harvest Limit |

Riverside Park Lagoon, Moline Park District

Rock Island County

- | | |
|-----------------|------------------------------------|
| All Fish | • 2 Pole and Line Fishing Only (1) |
| Channel Catfish | • 6 Fish Daily Harvest Limit |

Rochester Park Pond, City of Rochester

Sangamon County

- | | |
|---------------------------------|------------------------------------|
| All Fish | • 2 Pole and Line Fishing Only (1) |
| Bluegill or Redear Sunfish (14) | • 10 Fish Daily Harvest Limit |
| Channel Catfish | • 3 Fish Daily Harvest Limit |
| Large or Smallmouth Bass (14) | • 15" Minimum Length Limit |
| | • 3 Fish Daily Harvest Limit |

Rock Creek, State of Illinois

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

Kankakee County
All Fish
Trout

- 2 Pole and Line Fishing Only (1)
- Spring Closed Season (11)
- No Harvest with Hook and Line; Catch and Release Fly Fishing permitted (9)
- Fall Closed Season (10)
- No Harvest with Hook and Line; Catch and Release Fly Fishing permitted (9)

Rock River, from the Sears and Steel Dam downstream to confluence of the Mississippi River, State of Illinois

Rock Island County
Walleye

- 15" Minimum Length Limit with a 20-27" Protected Slot Length Limit (24)
- 6 Fish Daily Harvest Limit with no more than 1 Fish $\geq 27"$

Walleye and Sauger (14)

Rock River, Wisconsin State Line downstream to confluence of the Mississippi River, including tributaries, State of Illinois

Multiple Counties
Smallmouth Bass

- 14" Minimum Length Limit

Rock Springs Bike Trail Pond, Macon County Conservation District

Macon County
All Fish

- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Harvest Limit
- 15" Minimum Length Limit
- 1 Fish Daily Harvest Limit

Channel Catfish
Large or Smallmouth Bass (14)

Rock Springs Pond, Macon County Conservation District

Macon County
All Fish

- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Harvest Limit
- 15" Minimum Length Limit
- 1 Fish Daily Harvest Limit
- Fall Closed Season (10)

Channel Catfish
Large or Smallmouth Bass (14)
Trout

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

Roodhouse Park Lake, City of Roodhouse

Green County

- All Fish • 2 Pole and Line Fishing Only (1)
- Channel Catfish • 6 Fish Daily Harvest Limit

Route 6 Quarries (East and West), Will County Forest Preserve District

Will County

- All Fish • 2 Pole and Line Fishing Only (1)
- Bluegill or Redear Sunfish (14) • 15 Fish Daily Harvest Limit
- Channel Catfish • 3 Fish Daily Harvest Limit
- Large or Smallmouth Bass (14) • 18" Minimum Length Limit
- 1 Fish Daily Harvest Limit

Route 154 Day Use Pond, State of Illinois

Randolph County

- All Fish • 2 Pole and Line Fishing Only (1)
- Channel Catfish • 6 Fish Daily Harvest Limit
- Large or Smallmouth Bass (14) • 15" Minimum Length Limit
- 1 Fish Daily Harvest Limit

Sag Quarry East, Cook County Forest Preserve District

Cook County

- Bluegill, Redear, or Pumpkinseed • 15 Fish Daily Harvest Limit
- Sunfish (14)
- Trout • Spring Closed Season (11)
- White, Black, or Hybrid Crappie (15) • 15 Fish Daily Harvest Limit

Sahara Woods Fish and Wildlife Area, State of Illinois

Saline County

- All Fish • 2 Pole and Line Fishing Only (1)
- Bluegill or Redear Sunfish (14) • 15 Fish Daily Harvest Limit
- Channel Catfish • 6 Fish Daily Harvest Limit
- Large or Smallmouth Bass (14) • 18" Minimum Length Limit
- 1 Fish Daily Harvest Limit
- White, Black, or Hybrid Crappie (15) • 15 Fish Daily Harvest Limit

St. Elmo South Lake, City of St. Elmo

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

Fayette County

- All Fish • 2 Pole and Line Fishing Only (1)
- Channel Catfish • 6 Fish Daily Harvest Limit
- Large or Smallmouth Bass • 14" Minimum Length Limit

Salem Reservoir, City of Salem

Marion County

- All Fish • 2 Pole and Line Fishing Only (1) (5)
- Channel Catfish • 6 Fish Daily Harvest Limit
- Large or Smallmouth Bass • 14" Minimum Length Limit

Sam Dale Lake, Sam Dale Conservation Area

Wayne County

- Recreational Use Restrictions • All live bait > 8" must be rigged with a quick set rig (43)
- All Fish • 2 Pole and Line Fishing Only (1) (5)
- Channel Catfish • 6 Fish Daily Harvest Limit
- Large or Smallmouth Bass • 14" Minimum Length Limit
- Pure Muskellunge • 48" Minimum Length Limit

Sam Dale Trout Pond, Sam Dale Conservation Area

Wayne County

- All Fish • 2 Pole and Line Fishing Only (1)
- Channel Catfish • 6 Fish Daily Harvest Limit
- Large or Smallmouth Bass • 14" Minimum Length Limit
- Trout • Fall Closed Season (10)
- Spring Closed Season (11)

Sam Parr Lake, Sam Parr State Park

Jasper County

- All Fish • 2 Pole and Line Fishing Only (1) (5)
- Channel Catfish • 6 Fish Daily Harvest Limit
- Large or Smallmouth Bass • 14" Minimum Length Limit

Sand Lake, Illinois Beach State Park

Lake County

- All Fish • 2 Pole and Line Fishing Only (1)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

- | | |
|-------------------------------|------------------------------|
| Channel Catfish | • 6 Fish Daily Harvest Limit |
| Large or Smallmouth Bass (14) | • 15" Minimum Length Limit |
| | • 1 Fish Daily Harvest Limit |
| Trout | • Fall Closed Season (10) |
| | • Spring Closed Season (11) |

Sanganois Conservation Area (33) (42)

Mason/Cass/Schuyler/Menard Counties

Large or Smallmouth Bass

- 12" Minimum Length Limit

Sangchris Lake, Sangchris Lake State Park

Christian/Sangamon Counties

Recreational Use Restrictions

- Posted waterfowl refuge closed to all boat traffic during waterfowl season. Bank fishing along the dam shall be permitted. Fishing shall be prohibited in the east and west arms of the lake during the period from 10 days prior to the duck season through the end of the duck season. Fishing shall be prohibited in the west arm of the lake and the east arm of the lake south of the power lines during that portion of the Canada goose season that follows the duck season (41)

All Fish

Large or Smallmouth Bass (14)

- 2 Pole and Line Fishing Only (1) (45)
- 15" Minimum Length Limit
- 3 Fish Daily Harvest Limit
- 10 Fish Daily Harvest Limit
- 10" Minimum Length Limit

White, Black, or Hybrid Crappie (15)

Schiller Pond, Cook County Forest Preserve District

Cook County

All Fish

Bluegill, Redear, or Pumpkinseed

Sunfish (14)

Channel Catfish

Large or Smallmouth Bass

- 2 Pole and Line Fishing Only (1) (36)
- 15 Fish Daily Harvest Limit
- 6 Fish Daily Harvest Limit
- 14" Minimum Length Limit

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

- White, Black, or Hybrid Crappie (15) • 15 Fish Daily Harvest Limit

Schuy-Rush Lake, City of Rushville

Schuyler County

- All Fish • 2 Pole and Line Fishing Only (1)
 Channel Catfish • 6 Fish Daily Harvest Limit
 White, Black, or Hybrid Crappie (15) • 25 Fish Daily Harvest Limit with no more than 10 Fish \geq 10"9" Minimum Length Limit

Sesser City Lake, City of Sesser

Franklin County

- All Fish • 2 Pole and Line Fishing Only (1)
 Channel Catfish • 6 Fish Daily Harvest Limit
 Large or Smallmouth Bass (14) • 18" Minimum Length Limit
 • 1 Fish Daily Harvest Limit

Shabbona Lake, Shabbona Lake State Park

DeKalb County

- Recreational Use Restrictions • All live bait > 8" must be rigged with a quick set rig (43)
 • No sport fishing below dam to fence
 All Fish • 2 Pole and Line Fishing Only (1) (48)
 Bluegill or Redear Sunfish (14) • 10 Fish Daily Harvest Limit
 Channel Catfish • 6 Fish Daily Harvest Limit
 Large or Smallmouth Bass (14) • 1 Fish Daily Harvest Limit
 • 14" Minimum Length Limit
 Pure Muskellunge • 48" Minimum Length Limit (40)
 Striped, White, or Hybrid Striped Bass (16) • 17" Minimum Length Limit
 • 3 Fish Daily Harvest Limit
 Walleye, Sauger, or Hybrid Walleye • 18" Minimum Length Limit
 White, Black, or Hybrid Crappie (15) • 10 Fish Daily Harvest Limit

Shawnee National Forest – Lakes and Ponds less than 10 acres, U.S. Forest Service

Multiple Counties

- All Fish • 2 Pole and Line Fishing Only (1) (5)
 Channel Catfish • 6 Fish Daily Harvest Limit

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

- Largemouth, Smallmouth or Spotted Bass • 15" Minimum Length Limit

Shawnee National Forest – Bay Creek Lake #5 and #8 (Sugar Creek Lake), U.S. Forest Service

Pope County

- All Fish • 2 Pole and Line Fishing Only (1)
Channel Catfish • 6 Fish Daily Harvest Limit
Largemouth, Smallmouth and Spotted Bass • 15" Minimum Length Limit

Shawnee National Forest – Dutchman Lake, U.S. Forest Service

Johnson County

- All Fish • 2 Pole and Line Fishing Only (1)
Channel Catfish • 6 Fish Daily Harvest Limit
Largemouth, Smallmouth or Spotted Bass • 15" Minimum Length Limit

Shawnee National Forest – Lake Glendale, U.S. Forest Service

Pope County

- All Fish • 2 Pole and Line Fishing Only (1)
Channel Catfish • 6 Fish Daily Harvest Limit
Largemouth, Smallmouth or Spotted Bass • 15" Minimum Length Limit

Shawnee National Forest – Little Cache #1, U.S. Forest Service

Johnson County

- All Fish • 2 Pole and Line Fishing Only (1)
Channel Catfish • 6 Fish Daily Harvest Limit
Largemouth or Smallmouth Bass • 15" Minimum Length Limit

Shawnee National Forest – Little Cedar Lake, U.S. Forest Service

Jackson County

- All Fish • 2 Pole and Line Fishing Only (1)
Large or Smallmouth Bass (14) • Protected Slot Length Limit with 1 Fish
~~≥~~greater than or equal to 18" and/or 5 Fish
~~≤~~less than 14" (38)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

- | | |
|--|---|
| Striped, White, or Hybrid Striped Bass
(16) | <ul style="list-style-type: none"> • 6 Fish Daily Harvest Limit (38) • 17" Minimum Length Limit • 3 Fish Daily Harvest Limit |
|--|---|

Shawnee National Forest – One Horse Gap Lake, U.S. Forest Service

Pope County

- | | |
|--|------------------------------------|
| All Fish | • 2 Pole and Line Fishing Only (1) |
| Channel Catfish | • 6 Fish Daily Harvest Limit |
| Largemouth, Smallmouth or Spotted Bass | • 15" Minimum Length Limit |

Shawnee National Forest – Pounds Hollow Lake, U.S. Forest Service

Gallatin County

- | | |
|--|------------------------------------|
| All Fish | • 2 Pole and Line Fishing Only (1) |
| Channel Catfish | • 6 Fish Daily Harvest Limit |
| Largemouth, Smallmouth or Spotted Bass | • 15" Minimum Length Limit |

Shawnee National Forest – Tecumseh Lake, U.S. Forest Service

Hardin County

- | | |
|--|------------------------------------|
| All Fish | • 2 Pole and Line Fishing Only (1) |
| Channel Catfish | • 6 Fish Daily Harvest Limit |
| Largemouth, Smallmouth or Spotted Bass | • 15" Minimum Length Limit |

Shawnee National Forest – Turkey Bayou, U.S. Forest Service

Jackson County

- | | |
|--|------------------------------------|
| All Fish | • 2 Pole and Line Fishing Only (1) |
| Channel Catfish | • 6 Fish Daily Harvest Limit |
| Largemouth, Smallmouth or Spotted Bass | • 15" Minimum Length Limit |

Shawnee National Forest – Whoopie Cat Lake, U.S. Forest Service

Hardin Counties

- | | |
|-----------------|------------------------------------|
| All Fish | • 2 Pole and Line Fishing Only (1) |
| Channel Catfish | • 6 Fish Daily Harvest Limit |

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

- Largemouth, Smallmouth or Spotted Bass • 15" Minimum Length Limit

Sherman Park Lagoon, Chicago Park District
Cook County

- All Fish • 2 Pole and Line Fishing Only (1)
- Channel Catfish • 4 Fish Daily Harvest Limit

Siloam Springs Lake, Siloam Springs State Park
Adams County

- All Fish • 2 Pole and Line Fishing Only (1) (7)
- Channel Catfish • 6 Fish Daily Harvest Limit
- Large or Smallmouth Bass • Protected Slot Length Limit with no possession of fish ~~less than~~ 15" or ~~greater than or equal to~~ 12" (3)
- Trout • Fall Closed Season (10)
No harvest with Hook and Line, Catch and Release Fly Fishing is permitted (9)
- Spring Closed Season (11)
No harvest with Hook and Line, Catch and Release Fly Fishing is permitted (9)

Siloam Springs State Park – Buckhorn Unit Waters, Siloam Springs State Park
Brown County

- All Fish • 2 Pole and Line Fishing Only (1)
- Channel Catfish • 6 Fish Daily Harvest Limit
- Bluegill or Redear Sunfish (14) • 8" Minimum Length Limit
- 10 Fish Daily Harvest Limit
- Large or Smallmouth Bass (14) • 18" Minimum Length Limit
- 1 Fish Daily Harvest Limit

Silver Lake, City of Highland
Madison County

- Large or Smallmouth Bass (14) • 15" Minimum Length Limit
- 3 Fish Daily Harvest Limit

~~Silver Lake, DuPage County Forest Preserve District~~

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

~~DuPage County~~

- ~~All Fish~~ • ~~2 Pole and Line Fishing Only (1)~~
- ~~Channel Catfish~~ • ~~3 Fish Daily Harvest Limit~~
- ~~Large or Smallmouth Bass (14)~~ • ~~12" Minimum Length Limit~~
- ~~Trout~~ • ~~15" Minimum Length Limit~~
- ~~Walleye, Sauger, or Hybrid Walleye (14)~~ • ~~3 Fish Daily Harvest Limit~~
- ~~White, Black or Hybrid Crappie (15)~~ • ~~Spring Closed Season (11)~~
- ~~Fall Closed Season (10)~~
- ~~16" Minimum Length Limit~~
- ~~3 Fish Daily Harvest Limit~~
- ~~9" Minimum Length Limit~~
- ~~15 Fish Daily Harvest Limit~~

Silver Springs State Park – Big Lake & Ponds, Silver Springs State Fish and Wildlife Area

Kendall County

- All Fish • 2 Pole and Line Fishing Only (1)
- Channel Catfish • 6 Fish Daily Harvest Limit
- Large or Smallmouth Bass • 15" Minimum Length Limit
- Trout • Fall Closed Season (10)
- Spring Closed Season (11)

Skokie Lagoons, Cook County Forest Preserve District

Cook County

- All Fish • 2 Pole and Line Fishing Only (1) (36)
- Bluegill, Redear, or Pumpkinseed • 15 Fish Daily Harvest Limit
- Sunfish (14)
- Channel Catfish • 6 Fish Daily Harvest Limit
- Large or Smallmouth Bass • 14" Minimum Length Limit
- 3 Fish Daily Harvest Limit
- Walleye, Sauger, or Hybrid Walleye • 18" Minimum Length Limit
- White, Black, or Hybrid Crappie (15) • 15 Fish Daily Harvest Limit

Snakeden Hollow State Fish and Wildlife Area – McMaster Lake & Other Site Waters,

State of Illinois

Knox County

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

Recreational Use Restrictions

- Waterfowl Refuge or Hunting Area (all use other than waterfowl hunting prohibited from 14 days prior to duck season through the end of the central zone Canada goose season)
- All live bait > 8" must be rigged with a quick set rig (43)
- 2 Pole and Line Fishing Only (1)
- ~~2510~~ Fish Daily Harvest Limit
- 6 Fish Daily Harvest Limit
- ~~Protected Slot Length Limit of 14-18" 3 Fish Daily Harvest Limit with only one fish ≥ 15"~~
- ~~3 Fish Daily Harvest Limit~~
- ~~1 Fish ≥ 36" but < 42", or 1 fish ≥ 48" in total length (52) Minimum Length Limit~~
- ~~1 Fish Daily Harvest Limit~~
- 3 Fish Daily Harvest Limit
- ~~255~~ Fish Daily Harvest Limit with no more than 10 Fish ≥ 10"

All Fish
 Bluegill or Redear Sunfish (14)
 Channel Catfish
 Large or Smallmouth Bass (14)

Pure Muskellunge

Walleye, Sauger, or Hybrid Walleye (14)
 White, Black, or Hybrid Crappie (15)

Southwind Pond, Springfield Park District
 Sangamon County
 Trout

- Spring Closed Season (11)
- Fall Closed Season (10)

Sparta New City Reservoir (North)Lakes, City of Sparta
 Randolph County

All Fish
 Channel Catfish
 Large or Smallmouth Bass

- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Harvest Limit
- 15" Minimum Length Limit

Sparta Old City Reservoir (South), City of Sparta
 Randolph County

All Fish
 Channel Catfish

- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Harvest Limit

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

- Bluegill or Redear Sunfish (14) • 15 Fish Daily Harvest Limit
- Large or Smallmouth Bass • 15" Minimum Length Limit

Sparta "T" Lake, City of Sparta

Randolph County

- All Fish • 2 Pole and Line Fishing Only (1)
- Bluegill or Redear Sunfish (14) • 8" Minimum Length Limit
- Channel Catfish • 15 Fish Daily Harvest Limit
- Large or Smallmouth Bass (14) • 6 Fish Daily Harvest Limit
- White, Black, or Hybrid Crappie (15) • 15" Minimum Length Limit
- 3 Fish Daily Harvest Limit
- 9" Minimum Length Limit
- 10 Fish Daily Harvest Limit

Sparta World Shooting and Recreational Complex – Derby Lake, State of Illinois

Randolph County

- All Fish • 2 Pole and Line Fishing Only (1)(5)
- Bluegill and Redear Sunfish (14) • 15 Fish Daily Harvest Limit
- Channel Catfish • 6 Fish Daily Harvest Limit
- Large and Smallmouth Bass (14) • 18" Minimum Length Limit
- White, Black, or Hybrid Crappie (15) • 1 Fish Daily Harvest Limit
- 10" Minimum Length Limit
- 10 Fish Daily Harvest Limit
- Trout • Fall Closed Season (10)
- Spring Closed Season (11)

Sparta World Shooting and Recreational Complex Lakes, State of Illinois

Randolph County

- All Fish • 2 Pole and Line Fishing Only (1)(5)
- Bluegill and Redear Sunfish (14) • 15 Fish Daily Harvest Limit
- Channel Catfish • 6 Fish Daily Harvest Limit
- Large and Smallmouth Bass (14) • 18" Minimum Length Limit
- White, Black, or Hybrid Crappie (15) • 1 Fish Daily Harvest Limit
- 10" Minimum Length Limit
- 10 Fish Daily Harvest Limit

Spencer Lake, Boone County Conservation District

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

Boone County

- All Fish • 2 Pole and Line Fishing Only (1)
- Channel Catfish • 6 Fish Daily Harvest Limit
- Large or Smallmouth Bass (14) • 14" Minimum Length Limit
- 1 Fish Daily Harvest Limit

Sportsmans' Club Pond, Macon County Conservation District

Macon County

- All Fish • 2 Pole and Line Fishing Only (1)
- Trout • Spring Closed Season (11)

Spring Grove Hatchery Pond, City of Spring Grove

McHenry County

- Trout • Fall Closed Season (10)

Spring Lake, City of Macomb

McDonough County

- Recreational Use Restrictions • All live bait > 8" must be rigged with a quick set rig (43)
- All Fish • 2 Pole and Line Fishing Only (1) (5)
- Channel Catfish • 6 Fish Daily Harvest Limit
- Large or Smallmouth Bass (14) • 15" Minimum Length Limit
- 3 Fish Daily Harvest Limit
- Pure Muskellunge • 42" Minimum Length limit
- 1 Fish Daily Harvest Limit
- Striped, White, or Hybrid Striped Bass (16) • 17" Minimum Length Limit
- 3 Fish Daily Harvest Limit
- Walleye • 18" Minimum Length Limit
- 3 Fish Daily Harvest Limit

Spring Lakes (North & South), Spring Lake Conservation Area (33)

Tazewell County

- Recreational Use Restrictions • All live bait > 8" must be rigged with a quick set rig (43)
- All Fish • 2 Pole and Line Fishing Only (1) (5)
- Channel Catfish • 6 Fish Daily Harvest Limit
- Large or Smallmouth Bass (14) • 15" Minimum Length Limit

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

- Pure Muskellunge
White, Black, or Hybrid Crappie (15)
- 3 Fish Daily Harvest Limit
 - 4248" Minimum Length Limit (40)
 - 25 Fish Daily Harvest Limit
 - 9" Minimum Length Limit

Spring Pond, Flagg-Rochelle Park District
Ogle County

- All Fish
Large or Smallmouth Bass (14)
- 2 Pole and Line Fishing Only (1)
 - 14" Minimum Length Limit
 - 1 Fish Daily Harvest Limit

Starved Rock State Park (33)
LaSalle County

Staunton City Lake, City of Staunton
Macoupin County

- Recreational Use Restrictions
- All live bait > 8" must be rigged with a quick set rig (43)
- All Fish
Channel Catfish
Large or Smallmouth Bass (14)
- 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Harvest Limit
 - 15" Minimum Length Limit
 - 3 Fish Daily Harvest Limit
- Pure Muskellunge
- 36" Minimum Length Limit

Stephen A. Forbes State Park (33) (see also Forbes State Lake and Forbes State Park Ponds)
Marion County

Sterling Lake, Lake County Forest Preserve District
Lake County

- Recreational Use Restrictions
- All live bait > 8" must be rigged with a quick set rig (43)
- All Fish
Channel Catfish
Large or Smallmouth Bass (14)
- 2 Pole and Line Fishing Only (1)
 - 3 Fish Daily Harvest Limit
 - 1 Fish Daily Harvest Limit
 - 15" Minimum Length Limit
- Pure Muskellunge
Walleye, Sauger, or Hybrid Walleye
- 48" Minimum Length Limit
 - 16" Minimum Length Limit

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

Storm Lake, DeKalb Park District

DeKalb County

- | | |
|-------------------------------|------------------------------------|
| All Fish | • 2 Pole and Line Fishing Only (1) |
| Channel Catfish | • 6 Fish Daily Harvest Limit |
| Large or Smallmouth Bass (14) | • 14" Minimum Length Limit |
| | • 1 Fish Daily Harvest Limit |

Stump Lake Wildlife Management Area (19)

Jersey County

Tampier Lake, Cook County Forest Preserve District

Cook County

- | | |
|--|-------------------------------------|
| All Fish | • 2 Pole and Line Fishing Only (36) |
| Bluegill, Redear, or Pumpkinseed
Sunfish (14) | • 15 Fish Daily Harvest Limit |
| Channel Catfish | • 6 Fish Daily Harvest Limit |
| Large or Smallmouth Bass | • 14" Minimum Length Limit |
| Walleye, Sauger, or Hybrid Walleye | • 18" Minimum Length Limit |
| White, Black, or Hybrid Crappie (15) | • 15 Fish Daily Harvest Limit |

Taylorville Park District Pond, Taylorville Park District

Christian County

- | | |
|----------|------------------------------------|
| All Fish | • 2 Pole and Line Fishing Only (1) |
| Trout | • Spring Closed Season (11) |
| | • Fall Closed Season (10) |

Ten Mile Creek Lakes, Ten Mile Creek State Fish and Wildlife Area

Hamilton/Jefferson Counties

(Areas designated as waterfowl rest areas are closed to all access during the Canada goose season only)

- | | |
|-------------------------------|------------------------------------|
| All Fish | • 2 Pole and Line Fishing Only (1) |
| Channel Catfish | • 6 Fish Daily Harvest Limit |
| Large or Smallmouth Bass (14) | • 3 Fish Daily Harvest Limit |

Three Oaks North and South Lakes, City of Crystal Lake

McHenry County

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

All Fish

- 2 Pole and Line Fishing Only (1)
- Catch and Release Fishing Only (9)

Tilton City Lake, City of Tilton

Vermilion County

All Fish

Channel Catfish

Bluegill or Redear Sunfish (14)

Large or Smallmouth Bass (14)

- 2 Pole and Line Fishing Only (1)
- 3 Fish Daily Harvest Limit
- 15 Fish Daily Harvest Limit
- 15" Minimum Length Limit
- 1 Fish Daily Harvest Limit

Toledo Reservoir, City of Toledo

Cumberland County

All Fish

Channel Catfish

Large or Smallmouth Bass

- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Harvest Limit
- Protected Slot Length Limit with 1 Fish ~~≥greater than or equal to~~ 15" and 2 Fish ~~≤less than~~ 12"
- 3 Fish Daily Harvest Limit

Tri-Township Park Pond, City of Troy

Madison County

All Fish

Bluegill or Redear Sunfish (14)

Channel Catfish

Large or Smallmouth Bass (14)

- 2 Pole and Line Fishing Only (1)
- 10 Fish Daily Harvest Limit
- 6 Fish Daily Harvest Limit
- 15" Minimum Length Limit
- 3 Fish Daily Harvest Limit

Turkey Bluff Ponds, State of Illinois

Randolph County

All Fish

Channel Catfish

Large and Smallmouth Bass (14)

- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Harvest Limit
- 15" Minimum Length Limit
- 1 Fish Daily Harvest Limit

Turner Lake, Chain O'Lakes State Park

Lake County

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

- | | |
|-------------------------------|------------------------------------|
| All Fish | • 2 Pole and Line Fishing Only (1) |
| Channel Catfish | • 6 Fish Daily Harvest Limit |
| Large or Smallmouth Bass (14) | • 1 Fish Daily Harvest Limit |
| | • 15" Minimum Length Limit |

Turtle Lake (East Lake Renwick), Will County Forest Preserve District

Will County

- | | |
|---------------------------------|------------------------------------|
| All Fish | • 2 Pole and Line Fishing Only (1) |
| Channel Catfish | • 3 Fish Daily Harvest Limit |
| Large or Smallmouth Bass (14) | • 18" Minimum Length Limit |
| | • 1 Fish Daily Harvest Limit |
| Bluegill or Redear Sunfish (14) | • 15 Fish Daily Harvest Limit |

Tuscola City Lake, City of Tuscola

Douglas County

- | | |
|--------------------------|------------------------------------|
| All Fish | • 2 Pole and Line Fishing Only (1) |
| Channel Catfish | • 6 Fish Daily Harvest Limit |
| Large or Smallmouth Bass | • 14" Minimum Length Limit |

Union County Fish and Wildlife Area – All lakes and ponds

Union County

(All fishing and boat traffic prohibited from October 15 through the last day of February)

- | | |
|-----------------|--|
| All Fish | • 2 Pole and Line Fishing Only (1) (5) |
| Channel Catfish | • 6 Fish Daily Harvest Limit |

Valley Lake, Wildwood Park District

Lake County

- | | |
|-------------------------------|------------------------------------|
| All Fish | • 2 Pole and Line Fishing Only (1) |
| Channel Catfish | • 6 Fish Daily Harvest Limit |
| Large or Smallmouth Bass (14) | • 15" Minimum Length Limit |
| | • 3 Fish Daily Harvest Limit |

Valmeyer Lake, City of Valmeyer

Monroe County

- | | |
|-------------------------------|------------------------------------|
| All Fish | • 2 Pole and Line Fishing Only (1) |
| Channel Catfish | • 6 Fish Daily Harvest Limit |
| Large or Smallmouth Bass (14) | • 15" Minimum Length Limit |

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

- 3 Fish Daily Harvest Limit

Vanhorn Woods Pond, Plainfield Park District

Will County

All Fish

Channel Catfish

Large or Smallmouth Bass (14)

Trout

- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Harvest Limit
- 15" Minimum Length Limit
- 1 Fish Daily Harvest Limit
- Fall Closed Season (10)

Vernor Lake, City of Olney

Richland County

All Fish

Channel Catfish

Large or Smallmouth Bass

- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Harvest Limit
- 14" Minimum Length Limit

Villa Grove East Lake, City of Villa Grove

Douglas County

All Fish

Channel Catfish

Large or Smallmouth Bass

- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Harvest Limit
- 14" Minimum Length Limit

Villa Grove West Lake, City of Villa Grove

Douglas County

All Fish

Channel Catfish

Large or Smallmouth Bass (14)

Striped, White, or Hybrid Striped Bass
(16)

Trout

- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Harvest Limit
- 18" Minimum Length Limit
- 1 Fish Daily Harvest Limit
- 17" Minimum Length Limit
- 1 Fish Daily Harvest Limit
- Fall Closed Season (10)

Wabash River, various counties (between IL and IN) and **Ohio River** (between IL & KY), State of Illinois

Multiple Counties

Channel Catfish

- 1 Fish Daily Harvest Limit for Fish \geq 28"

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

- Blue and Flathead Catfish
- No Daily Harvest Limit for Fish ≥ 13 " and < 28 "
 - No harvest < 13 "
 - 1 Fish Daily Harvest Limit for Fish ≥ 35 "
 - No Daily Harvest Limit for Fish ≥ 13 " and < 35 "
 - No harvest < 13 "

Waddams Creek

Stephenson County

Trout

- Spring Closed Season (11)

Walnut Point Lake, Walnut Point State Fish and Wildlife Area

Douglas County

All Fish

Bluegill or Redear Sunfish (14)

Channel Catfish

Large or Smallmouth Bass

- 2 Pole and Line Fishing Only (1)
- 20 Fish, either singly or in aggregate, Daily Harvest Limit, of which only 5 Fish may be ≥ 8 "
- 6 Fish Daily Harvest Limit
- Protected Slot Length Limit with no possession of Fish ~~$< \text{less than}$ 15"~~ or ~~$\geq \text{greater than or equal to}$ 12"~~ (3)

Walton Park Lake, City of Litchfield

Montgomery County

All Fish

Channel Catfish

Large or Smallmouth Bass (14)

- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Harvest Limit
- 15" Minimum Length Limit
- 3 Fish Daily Harvest Limit

Wampum Lake, Cook County Forest Preserve District

Cook County

All Fish

Bluegill, Redear, or Pumpkinseed Sunfish (14)

Large or Smallmouth Bass

White, Black, or Hybrid Crappie (15)

- 2 Pole and Line Fishing Only (1) (36)
- 15 Fish Daily Harvest Limit
- 14" Minimum Length Limit
- 15 Fish Daily Harvest Limit

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

Washington County Lake, Washington County Conservation Area

Washington County

- All Fish
 - Channel Catfish
 - Large or Smallmouth Bass
 - Striped, White, or Hybrid Striped Bass (16)
- 2 Pole and Line Fishing Only (1) (5)
 - 6 Fish Daily Harvest Limit
 - Protected Slot Length Limit with 1 Fish ~~≥greater than or equal to~~ 18" and 2 Fish ~~≤fish less than~~ 14"
 - 17" Minimum Length Limit
 - 3 Fish Daily Harvest Limit

Washington Park Lagoon, Chicago Park District

Cook County

- All Fish
 - Channel Catfish
- 2 Pole and Line Fishing Only (1)
 - 4 Fish Daily Harvest Limit

Washington Park Pond, Springfield Park District

Sangamon County

- All Fish
 - Channel Catfish
 - Trout
- 2 Pole and Line Fishing Only (1)
 - 3 Fish Daily Harvest Limit
 - Fall Closed Season (10)
 - Spring Closed Season (11)

Watseka City Ponds (Clements Pond, Kapers Pond and Municipal Center Pond), City of

Watseka

Iroquois County

- All Fish
 - Channel Catfish
 - White, Black, or Hybrid Crappie (15)
 - Large or Smallmouth Bass (14)
- 2 Pole and Line Fishing Only (1)
 - 3 Fish Daily Harvest Limit
 - 9" Minimum Length Limit
 - 10 Fish Daily Harvest Limit
 - 15" Minimum Length Limit
 - 3 Fish Daily Harvest Limit

Waverly Lake, City of Waverly

Morgan County

- All Fish
 - Channel Catfish
- 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Harvest Limit

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

Large or Smallmouth Bass • 15" Minimum Length Limit

Weinberg-King Pond, Weinberg-King State Park

Schuyler County

All Fish • 2 Pole and Line Fishing Only (1)
Channel Catfish • 6 Fish Daily Harvest Limit

Weldon Springs Lake, Weldon Springs State Park

DeWitt County

All Fish • 2 Pole and Line Fishing Only (1)
Channel Catfish • 6 Fish Daily Harvest Limit
Large or Smallmouth Bass (14) • 15" Minimum Length Limit
• 1 Fish Daily Harvest Limit
Walleye, Sauger, and Hybrid Walleye • 3 Fish Daily Harvest Limit
• 15" Minimum Length Limit with no more than 1 Fish ≥ 20"

West Frankfort New City Lake, City of West Frankfort

Franklin County

All Fish • 2 Pole and Line Fishing Only (1)
Channel Catfish • 6 Fish Daily Harvest Limit
Large or Smallmouth Bass (14) • 15" Minimum Length Limit
• 3 Fish Daily Harvest Limit

West Frankfort Old City Lake, City of West Frankfort

Franklin County

All Fish • 2 Pole and Line Fishing Only (1)
Channel Catfish • 6 Fish Daily Harvest Limit
Large or Smallmouth Bass (14) • 15" Minimum Length Limit
• 3 Fish Daily Harvest Limit

West Salem Reservoir, City of West Salem

Edwards County

All Fish • 2 Pole and Line Fishing Only (1)
Channel Catfish • 6 Fish Daily Harvest Limit
Large or Smallmouth Bass (14) • 14" Minimum Length Limit

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Whalon Lake, Forest Preserve District of Will County

Will County

- | | |
|------------------------------------|------------------------------------|
| All Fish | • 2 Pole and Line Fishing Only (1) |
| Bluegill or Redear Sunfish (14) | • 15 Fish Daily Harvest Limit |
| Channel Catfish | • 3 Fish Daily Harvest Limit |
| Large or Smallmouth Bass (14) | • 18" Minimum Length Limit |
| | • 1 Fish Daily Harvest Limit |
| Walleye, Sauger, or Hybrid Walleye | • 16" Minimum Length Limit |
| | • 3 Fish Daily Harvest Limit |

White Hall City Lake, City of White Hall

Greene County

- | | |
|-----------------|--|
| All Fish | • 2 Pole and Line Fishing Only (1) (5) |
| Channel Catfish | • 6 Fish Daily Harvest Limit |

Wilderness Pond, Fox Ridge State Park

Coles County

- | | |
|---------------------------------|------------------------------------|
| All Fish | • 2 Pole and Line Fishing Only (1) |
| Bluegill or Redear Sunfish (14) | • 5 Fish Daily Harvest Limit |
| Channel Catfish | • 6 Fish Daily Harvest Limit |
| Large or Smallmouth Bass (14) | • 18" Minimum Length Limit |
| | • 1 Fish Daily Harvest Limit |

William W. Powers Conservation Area (33)

Cook County

- | | |
|-------|-----------------------------|
| Trout | • Fall Closed Season (10) |
| | • Spring Closed Season (11) |

Willow Lake, Peabody River King State Conservation Area

St. Clair County

- | | |
|--------------------------------------|------------------------------------|
| All Fish | • 2 Pole and Line Fishing Only (1) |
| Channel Catfish | • 6 Fish Daily Harvest Limit |
| Large or Smallmouth Bass (14) | • 15" Minimum Length Limit |
| | • 3 Fish Daily Harvest Limit |
| White, Black, or Hybrid Crappie (15) | • 25 Fish Daily Harvest Limit |
| | • 9" Minimum Length Limit |
| Trout | • Fall Closed Season (10) |

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- No Harvest with Hook and Line. Catch and Release Fly Fishing permitted. (9)
- Spring Closed Season (11)
- No Harvest with Hook and Line. Catch and Release Fly Fishing permitted. (9)

Wolf Lake, William W. Powers Conservation Area (33)

Cook County

- | | |
|--------------------------|------------------------------------|
| All Fish | • 2 Pole and Line Fishing Only (1) |
| Channel Catfish | • 6 Fish Daily Harvest Limit |
| Large or Smallmouth Bass | • 14" Minimum Length Limit |
| Trout | • Spring Closed Season (11) |
| | • Fall Closed Season (10) |

Woodford Co. Cons. Area (Fishing Ditch), Woodford County Conservation Area (33)

Woodford County

- | | |
|----------|------------------------------------|
| All Fish | • 2 Pole and Line Fishing Only (1) |
|----------|------------------------------------|

Woodlawn Pond, Frankfort Square Park District

Will County

- | | |
|-------------------------------|------------------------------------|
| All Fish | • 2 Pole and Line Fishing Only (1) |
| Channel Catfish | • 6 Fish Daily Harvest Limit |
| Large or Smallmouth Bass (14) | • 15" Minimum Length Limit |
| | • 1 Fish Daily Harvest Limit |

Woods Lake, U.S. Army Corps of Engineers

Moultrie County

- | | |
|-------------------------------|--|
| All Fish | • 2 Pole and Line Fishing Only (1) |
| Channel Catfish | • 6 Fish Daily Harvest Limit |
| Large or Smallmouth Bass (14) | • Protected Slot Length Limit with only 1 Fish ≥greater than or equal to 18" and 2 Fish ≤less than 14" |
| Bluegill and Readear Sunfish | • 15 Fish, either singly or in the aggregate, Daily Harvest Limit, of which only 5 Fish may be ≥greater than or equal to 8" |

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White, Black, or Hybrid Crappie

- 15 Fish Daily Harvest Limit with only 5 Fish ~~≤less than~~ 10" and 10 Fish ~~≥greater than or equal to~~ 10"

Wyman Lake, City of Sullivan

Moultrie County

All Fish

Channel Catfish

Large or Smallmouth Bass (14)

Trout

- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Harvest Limit
- 15" Minimum Length Limit
- 1 Fish Daily Harvest Limit
- Spring Closed Season (11)

Yellow Creek

Stephenson County

Trout

- Spring Closed Season (11)

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

Section 810.70 Free Fishing Days

During the period of June ~~16, 17, 18 and 19, 2017~~~~17, 18, 19 and 20, 2016~~, it shall be legal for any person to fish in waters wholly or in part within the jurisdiction of the State, including the Illinois portion of Lake Michigan, without possessing a sport fishing license, salmon stamp or inland trout stamp.

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

Section 810.90 Fishing Tournament Permit

- a) A Fishing Tournament Permit from the Department is required for any fishing tournament event, which includes Hook and Line Fishing Tournaments and Bowfishing Tournaments, that is held in any of the waters listed in Section 810.45 or Section 810.15(d) and in any public owned or Department-managed lake, river or stream in Illinois.
- b) The Fishing Tournament Permit serves as the IDNR Site Activity Permit (17 Ill. Adm. Code 110.90).

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- c) Definitions
- 1) "Fishing Derby" – An organized event conducted for children under the age of 16 who are attending primary school, senior citizens (65 years old and older), anglers with disabilities, or other school-sanctioned groups when the principal purpose is education or enjoyment, rather than competition among anglers. Tournament Permits are not required for a fishing derby.
 - 2) "Fishing Tournament" – An organized, competitive fishing event, other than a fishing derby, in which two or more individuals fish during a specified time period. An event will be considered a fishing tournament when the following criteria are present:
 - A) the event is sponsored or promoted by an individual or organization;
 - B) participants compete for trophies, cash, prizes, citation or other recognition for participation in the event; and
 - C) the event is conducted during a specified time period.
- d) Department sites require that the tournament director or organizer either:
- 1) provide proof of liability insurance of \$1,000,000; or
 - 2) require each individual who participates in the event to sign a liability waiver, obtained from the site office, prior to the event.
- e) A copy of the Fishing Tournament Permit must be in the possession of the director or organizer at all times during the event.
- f) Special Length Limit and/or Daily Harvest Limit exemptions to Site Specific Regulations are allowed (if they do not exceed the statewide limits) when requested on the Fishing Tournament Permit application, approved by the

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Department, and stated on the Fishing Tournament Permit. However, Special Length Limit and Daily Harvest Limit exemptions will only be approved for:

- 1) any Black Bass Fishing Tournament in Lake Michigan (Illinois Portion) (see Section 810.45) for which the Special Length Limit will be 14" and the Daily Harvest Limit will be 3 fish daily;
 - 2) Illinois High School Association (IHSA) or other youth-only sanctioned catch and release tournaments, for which the Special Length Limit will be the statewide minimum (i.e., 12 inches); and
 - 3) catch, hold for weigh-in, and release Muskie Fishing Tournaments (all waters), provided all fish are released unharmed immediately after a quick weigh-in.
- g) The statewide Daily Harvest Limit of no more than 6 largemouth, smallmouth or spotted bass (black bass) may be in possession while participating in a Hook and Line Fishing Tournament, except:
- 1) as specified by Site Specific Regulations in Section 810.45;
 - 2) In streams and rivers (including the mainstem of the Mississippi, Ohio (including the Golconda Marina) and Wabash Rivers), the daily possession can contain no more than 3 smallmouth bass; and
 - 3) In rivers and streams and their tributaries statewide, (excluding the Mississippi; Ohio, including the Golconda Marina, and Wabash and Illinois Rivers), Calumet River, Lake Calumet Connecting Channel, Calumet Sag Channel and navigable portions of the Grand Calumet River and Little Calumet River, all smallmouth bass must be immediately released between April 1 and June 15.
- h) The Mississippi, Ohio and Wabash Rivers are not eligible for permits that exempt participants from daily harvest and size limits due to regulatory agreements with neighboring states.

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- i) Requests for a Fishing Tournament Permit shall be made on applications provided by the Department of Natural Resources, Division of Fisheries, available on the IDNR and IFishIllinois websites.
 - 1) If applications are submitted online, the Fishing Tournament Permit will also serve as the IDNR Site Activity Permit for tournaments held at IDNR sites.
 - 2) If the Fishing Tournament Permit request is made by paper application, the applicant will need to contact the IDNR site for a separate paper Site Activity Permit application.
 - 3) Applications must be received not less than 30 days prior to the first tournament date and must be completely filled out before submitted.
 - 4) Within 30 days after the tournament event, a summary report containing catch data that may include the sizes (length and/or weight), numbers of each size fish caught, the length of the tournament (fishing hours), number of participants, number of boats, the number of participants that brought in their limit, and the number of fish killed during the handling must be provided to the Division of Fisheries. Subsequent Fishing Tournament Permits for the following years may not be issued until the summary reports have been submitted for the current or previous years.
 - 5) Fishing Tournament Permit applications will be accepted beginning November 1 of each year for the following year. Applications cannot be accepted more than one year in advance pursuant to 17 Ill. Adm. Code 115.
- j) The issuance or denial of a Fishing Tournament Permit shall be based upon the following criteria:
 - 1) The capability of the fishery resource to absorb the tournament with minimal impact to its well-being.
 - 2) The evaluation of the adverse impacts resulting from the additional fishing pressure generated by the tournament on the fish population and the

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targeted fish species. The evaluation must demonstrate minimal and short-term impacts in order for the Department of Natural Resources to issue the permit. Specific items to be considered include:

- A) biological status of the fish population, including the species sought;
 - B) timing of the tournament with regard to date, hours and water conditions;
 - C) length of fishing hours for the tournament;
 - D) need for emergency protective procedures to protect the sport fisheries resources of the State and the general health, safety and welfare of the general public as provided for in Section 810.80;
 - E) number of boats and anglers participating in the tournament; and
 - F) safety of anglers and potential boater-user conflicts.
- 3) The criteria and evaluation required for a Site Activity Permit, described in 17 Ill. Adm. Code 110.90.
- k) Appeals of denied permits must be made in writing to the Division of Fisheries within 10 days after receipt of the denial. Any supplemental information requested must be included in the appeal.
- l) Required provisions for holding, handling and releasing caught fish to protect fish health in Hook and Line Fishing Tournaments:
- 1) Tournament officials must be able to certify that all boats will be required to possess a livewell (except Muskie Fishing Tournaments) fitted with a functioning aerator and water pump.
 - 2) Following the weigh-in, fish must be released away from the weigh-in site and as near to the spot where the catch was made as possible by means of a common release boat or vehicle, or by individual boats. When

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impractical to release away from the ramp, fish shall be released into the water body as quickly as possible to avoid undue stress.

- 3) If a common release boat or vehicle is to be utilized, a permit must be obtained from the IDNR-Division of Fisheries exempting the anglers transporting the fish to be released from the Daily Harvest Limit. [When using a common release boat, permits granting exemptions from Daily Harvest Limits may be obtained by contacting the IDNR-Division of Fisheries at 217-782-6424.](#) A common release boat and holding tank used to transport fish for release shall be adequate to carry a tank constructed of a suitable material (aluminum or fiberglass) with smooth interior walls with no obstructions to trap or injure fish. The tank must be able to hold at least one gallon of water per pound of fish, provide adequate aeration, and maintain constant desirable temperature to sustain their well-being. The tank must have operating hatches to prevent fish from jumping out of the tank and allow quick opening and closing for introduction and removal of fish.
 - 4) Individual boats and anglers returning their catches of fish back to a release site must adhere to Daily Harvest Limits. Tournament officials must be able to certify that a common release boat is being utilized for this tournament.
 - 5) For catch, hold for weigh-in, and release Muskie Fishing Tournaments, all boats must have a fish cradle (made from netting) to temporarily hold the muskie in the water while an official determines the length or weight of the fish prior to release. Muskies may not be transported to a weigh-in site.
- m) Bowfishing tournaments may be held in any of the public waters open to bowfishing listed in Section 810.45 or public waters listed in Section 810.15(d). Bowfishing tournaments are subject to the following additional rules:
- 1) No Special Length Limit and/or Daily Harvest Limit exemptions are allowed to Site Specific Regulations (not to exceed the statewide statutory limits) on:

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- A) waters listed in Section 810.45 or public waters listed in Section 810.15 with restrictive limits; and
 - B) the Mississippi, Ohio and Wabash Rivers due to regulatory agreements with neighboring states.
- 2) All non-native species legal to harvest with bowfishing methods listed in Section 810.45 have unlimited harvest. No possession of live Asian carp is permitted.
 - 3) No exemptions will be granted for the wanton waste and fish abandonment provisions in Section 810.14.
- n) Failure to acquire a permit before holding a tournament, as required in subsection (a), is a petty offense pursuant to Section 20-35 of the Fish and Aquatic Life Code and the citation will be issued to the tournament director or organizer. If no director or organizer can be identified by the Department, all participants of the tournament will receive a citation.
 - o) [Fishing tournaments held on the Mississippi River between Illinois and Iowa must be permitted with an Illinois Fishing Tournament Permit in addition to an Iowa Fishing Tournament Fishing Permit, if also fishing Iowa waters.](#)

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

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NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: Fish Salvage
- 2) Code Citation: 17 Ill. Adm. Code 860
- 3)

<u>Section Numbers:</u>	<u>Proposed Actions:</u>
860.5	Amendment
860.10	Amendment
860.20	Amendment
- 4) Statutory Authority: Implementing and authorized by Sections 1-15, 1-20, 1-150, 5-5 and 25.5 of the Fish and Aquatic Life Code [515 ILCS 5/1-15, 1-20, 1-120, 1-15-, 5-5 and 25-5]
- 5) A Complete Description of the Subjects and Issues Involved: This Part is being amended to allow for permits for both fish salvage due to imminent threat of loss of life and allows for the relocation of aquatic life as needed in construction zones of waters of the State.
- 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 incorporation by reference? No
- 10) Are there any other rulemakings pending on this Part? No
- 11) Statement of Statewide Policy Objective: This rulemaking does not affect units of local government.
- 12) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Comments on the proposed rulemaking may be submitted in writing for a period of 45 days following publication of this Notice to:

Dan Nelson, Legal Counsel
Department of Natural Resources
One Natural Resources Way

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Springfield IL 62702-1271

217/782-0179

- 13) Initial Regulatory Flexibility Analysis:
 - A) Types of small businesses, small municipalities and not-for-profit corporations affected: Bridge construction contractors
 - 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 NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

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

PART 860

AQUATIC LIFE~~FISH~~ SALVAGE OR RELOCATION

Section

860.5	<u>Definitions</u> Definition
860.10	Implementation
860.20	Salvage <u>and Relocation</u> Operations

AUTHORITY: Implementing and authorized by Sections 1-15, 1-20, 1-150, 5-5 and 25-5 of the Fish and Aquatic Life Code [515 ILCS 5/1-15, 1-20, 1-150, 5-5 and 25-5].

SOURCE: Adopted and codified at 6 Ill. Reg. 875, effective January 6, 1982; amended at 7 Ill. Reg. 2718, effective March 2, 1983; recodified by changing the agency name from Department of Conservation to Department of Natural Resources at 20 Ill. Reg. 9389; amended at 41 Ill. Reg. _____, effective _____.

Section 860.5 Definitions~~Definition~~

"Aquatic life" means all fish, mollusks, crustaceans, algae, aquatic plants, aquatic invertebrates, and any other aquatic animals or plants that the Department identifies in rules adopted after consultation with biologists, zoologists or other wildlife experts. "Aquatic life" does not mean any herptiles that are found in the Herptiles-Herps Act.

"Aquatic life relocation" means the repositioning of imperiled aquatic life populations into the same water body or watershed by methods delineated in Section 860.20(b) and (e) for the purposes of protecting those plants and/or animals from injury or death due to disturbances in the aquatic environment.

"Aquatic life~~Fish~~ salvage" ~~means is defined as~~ the removal of imperiled aquatic life~~fish~~ populations by methods delineated in Section 860.20(b) for personal consumption and/or for commercial sale of commercial species as provided under 17 Ill. Adm. Code 830.

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"Department" means the Illinois Department of Natural Resources.

"Director" means the Director of the Illinois Department of Natural Resources.

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

Section 860.10 Implementation

- a) The Director ~~or his or her designee of the Illinois Department of Natural Resources~~ shall implement aquatic life~~fish~~ salvage operations ~~by public declaration~~ under authority granted ~~to the Director~~ ~~him~~ by Section 1-150 of the Fish and Aquatic Life~~The Fish~~ Code [515 ILCS 5] (Code)~~of 1971, Chapter 56, Section 1.10, Illinois Revised Statutes~~, for a specific area and specific time for which an emergency situation exists.
- b) An emergency situation exists when a field investigation by a ~~Department~~~~District~~ fishery biologist provides information to the Director indicating there is imminent danger of loss of that aquatic life~~fish~~ population by natural or man-made causes.
- c) The Director or his or her designee may authorize the relocation of aquatic life in imminent threat of injury or death due to human disturbances under authority granted to the Director by Section 1-50 of the Code.
- d) Department regulatory staff shall review proposed construction projects that occur in aquatic environs (rivers, streams and lakes). In certain situations, aquatic life must be moved away from those construction project sites to avoid unnecessary harm. Aquatic life relocation by the project contractor or designee is authorized by this subsection (d) and shall be conducted in accordance with Section 860.20.

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

Section 860.20 Salvage and Relocation Operations

- a) Aquatic life~~Fish~~ shall be taken by a person possessing a valid sport fishing license, commercial fishing license, ~~or~~ combination hunting and fishing license or scientific collector's permit.
- b) The method for taking fish will be prescribed by the Department based upon site

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conditions, public use, and species to be salvaged. Methods for taking fish shall include, but not be limited to, pole and line, hand capture, seining, netting, and spearing.

- c) No size limits or daily catch limits shall ~~apply~~ be in effect during salvage or relocation ~~the duration of this rule~~.
- d) Only commercial species of protected aquatic life (defined ~~by~~ under 17 Ill. Adm. Code 830) taken under imperiled conditions may be offered for sale or barter.
- e) The method for relocating aquatic life will be prescribed by the Department based upon site conditions, public use and species relocated. Methods for taking mussels shall include, but not limited to, hand capture, dredge and crow foot bar.
- f) In the event that threatened or endangered mussel species are found during the relocation procedure, construction operations shall cease immediately and the incidental take process will commence (see 17 Ill. Adm. Code 1080).
- g) A report of all aquatic life salvaged and relocated from a construction impact area, as authorized by this rule, shall be submitted to the Fisheries Division within 45 days following the event. An extension to the 45 days may be granted by the Department upon request. The report shall include the date, project purpose, species, number of individuals, collection method, collection site and habitat type.

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

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- 1) Heading of the Part: Forestry Development Cost-Share Program
- 2) Code Citation: 17 Ill. Adm. Code 1536
- 3)

<u>Section Numbers:</u>	<u>Proposed Actions:</u>
1536.10	Amendment
1536.20	Amendment
1536.25	Amendment
1536.30	Amendment
1536.40	Amendment
1536.50	Repealed
1536.51	New Section
1536.55	New Section
1536.60	Amendment
1536.65	Amendment
1536.70	Amendment
1536.75	New Section
1536.77	New Section
1536.80	Amendment
1536.90	Amendment
1536.100	Amendment
- 4) Statutory Authority: Implementing and authorized by the Illinois Forestry Development Act [525 ILCS 15]
- 5) A Complete Description of the Subjects and Issues Involved: This Part is being amended to improve establishment, management and sustainable use and benefits of forests. The proposed changes include improvements in eligibility, forest management plans and cost-share procedures.
- 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

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- 10) Are there any other rulemakings pending on this Part? No
- 11) Statement of Statewide Policy Objective: This rulemaking does not affect units of local government.
- 12) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Comments on the proposed rulemaking may be submitted in writing for a period of 45 days following publication of this Notice to:

Anne Mergen, Legal Counsel
Department of Natural Resources
One Natural Resources Way
Springfield IL 62702-1271

217/782-6899

- 13) Initial Regulatory Flexibility Analysis:
- A) Types of small businesses, small municipalities and not-for-profit corporations affected: None
- B) Reporting, bookkeeping or other procedures required for compliance: None
- C) Types of professional skills necessary for compliance: None
- 14) Regulatory Agenda on which this rulemaking was summarized: July 2016

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

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

TITLE 17: CONSERVATION
CHAPTER I: DEPARTMENT OF NATURAL RESOURCES
SUBCHAPTER d: FORESTRYPART 1536
FORESTRY DEVELOPMENT COST-SHARE PROGRAM

Section

1536.10	General
1536.20	Eligibility
1536.25	Preparation of Forest Management Plans
1536.30	Planting Trees and Direct Seeding
1536.40	Fencing to Protect Forests and Plantations
1536.50	Tending Forest Stands (Repealed)
1536.51	Timber Stand Improvement
1536.55	Pruning Hardwood Crop Trees
1536.60	Permanent Firebreaks for Management and Protection of Forests Protect Forests
1536.65	Reducing Wildlife Damage
1536.70	Site Preparation for Natural Regeneration
1536.75	Forestry Best Management Practices
1536.77	Invasive and Exotic Species Control
1536.80	Appeal
1536.90	Information
1536.100	Penalty

AUTHORITY: Implementing and authorized by the Illinois Forestry Development Act [525 ILCS 15].

SOURCE: Adopted and codified at 8 Ill. Reg. 13689, effective July 25, 1984; amended at 9 Ill. Reg. 14286, effective September 5, 1985; amended at 10 Ill. Reg. 6838, effective April 3, 1986; amended at 10 Ill. Reg. 18168, effective October 15, 1986; amended at 11 Ill. Reg. 18632, effective November 2, 1987; amended at 14 Ill. Reg. 18244, effective October 29, 1990; amended at 17 Ill. Reg. 16485, effective September 27, 1993; recodified by changing the agency name from Department of Conservation to Department of Natural Resources at 20 Ill. Reg. 9389; amended at 22 Ill. Reg. 10473, effective June 1, 1998; amended at 41 Ill. Reg. _____, effective _____.

Section 1536.10 General

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The purpose of this program is to encourage the establishment, planting, management, and sustainable use and benefits, and regeneration of forests. Definitions located at 17 Ill. Adm. Code 1537 apply to this Part as well.

- a) Timber growers ~~and/or landowners~~ participating in this program may also be eligible for federal ~~forestry~~ cost-share programs administered by agencies of the United States.
- b) An application for ~~the~~ cost-shared ~~practices~~ practice must be signed and dated ~~completed~~ by the timber grower or the timber grower's legally authorized agent and/or landowner and submitted to ~~an~~ the Illinois Department of Natural Resources (IDNR) ~~Resource's District Forester, hereinafter referred to as the District Forester.~~ The requirements for installation of the ~~practices~~ practice ~~will~~ be described in the approved Forest Management Plan (Plan) (see 17 Ill. Adm. Code 1537) ~~forest management plan, hereafter called the "Plan". Any practice variations or deviations must be submitted in writing and approved by the IDNR Forester.~~ The ~~cost-share~~ cost-shared practice ~~shall not~~ can not be started until the application is approved by the ~~IDNR~~ District Forester.
- c) ~~Reimbursement~~ The reimbursement for ~~the~~ approved cost-share practices shall never exceed the established base cost of the practice. ~~cost-shared practice will be based on the landowner's documentation of cost to install the practice and will not exceed the established cost share percentages and will not exceed maximum amounts per unit allowed in this Part.~~
- d) Timber growers ~~and/or landowners~~ must keep records and receipts of practice implementation costs, provide an itemized statement with paid receipts for expenses of more than \$10 in the implementation of the approved practice. ~~In determining the cost of a timber grower and/or landowner or family member doing the practices, the labor rate shall not exceed \$12 per hour. Reimbursement for amounts less than \$50 will not be processed for payment.~~
- e) This is a timber grower reimbursement cost-share program. Advance payment ~~is~~ will not be allowed and, Furthermore, cost-share payment ~~will not~~ cannot be made to a third party or to vendors.

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- f) When ~~federal~~Federal or other cost-share ~~programs~~program practices are utilized concurrently with the Illinois Forestry Development Act (FDA) ~~the combined FDA, federal and other reimbursements will not exceed the established base cost of the practice.~~(FDA) Cost Share Program, the cost share percentage shall equal the percentage of the other concurrent cost share program in effect in the county where the practice is installed. The IFDA cost share percentage and the "not to exceed per practice unit amount" shall be adjusted proportionately from the standard rate now in effect. Timber growers and/or landowners may not be reimbursed more than the actual cost not to exceed the base cost of the practice. The base cost represents the cost of implementing the practice, amount upon which the cost share maximum is derived. The adjusted maximum fixed rate is determined by taking the federal cost share percent rate times the average cost per acre. Federal programs will be used for initial payment.
- g) A practice ~~will not~~cannot be repeated ~~with FDA cost share~~ on the same area of land within a 10 year period and must be ~~maintained~~effective for a minimum of 10 years, except as allowed under Sections 1536.30, 1536.65, and 1536.70 and 1536.77.
- h) Property upon which ~~cost-share~~cost shared practices are installed must be protected from ~~wildfire~~wildlife and grazing ~~unless specifically prescribed by measures set forth~~ in the Plan.
- i) ~~Pesticides~~Chemicals used in ~~implementing practices~~performing this practice must be federally, ~~State~~state and locally registered and must be applied strictly in accordance with authorized registered uses, directions on the label, and other ~~federal~~Federal and State requirements.
- j) If a timber ~~grower has paid an IDNR timber harvest fee~~sale has occurred within 2 State ~~of Illinois~~ fiscal years prior to the approval of a ~~Plan or~~cost shared practice, ~~then landowners and/or timber growers will have their cost-share increased toward recouping up to 100% by an amount not to exceed 50% of their harvest fee. The combined payment for the practice implementation and the harvest fee rebate shall not exceed 100% of the landowner's and/or timber grower's actual and reasonable practice implementation cost.~~ Timber Landowners and/or timber growers and/or landowners who sold timber based upon provisions of the Plan shall have priority for harvest fee rebates. Federal cost share programs cannot be used with the harvest fee rebate.

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- k) ~~While this program may be combined with a federal program for implementation of a specific practice, it cannot be combined with another State program for the same practice.~~
- k) Only IDNR approved and satisfactorily completed practices provide the ~~authority~~basis for reimbursement to ~~timber growers~~landowners. All practice components must be completed and approved before payment is ~~authorized~~approved.
- l) ~~Cost-share~~Cost share practices shall not be authorized for any action that is determined to be harmful to threatened or endangered nonplant species or their habitat.
- m) Cost-share payments shall not be authorized for practices totaling less than one acre.
- n) Cost-share will not be authorized for more than a single practice that treats, removes, affects or establishes the same material, stems or growing vegetation or that is prescribed to achieve the same forest management result on the same acre.

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

Section 1536.20 Eligibility

- a) Participation in the program is limited to ~~landowners and/or~~ timber growers who own or operate at least 105 contiguous acres of land enrolled in the FDA Program in this State. ~~A forest must be at least 100 feet wide.~~
- b) Timber growers owning less than 10 acres who have maintained continuous participation may participate, as grandfathered parcels, until such time as they withdraw or are cancelled by an IDNR Forester. Those growers may not reduce enrolled acreage. Growers may transfer their Plan to another grower.
- c) Property~~The property~~ on which ~~cost-share~~the cost shared practices ~~are~~will be installed must have a Plan~~an approved forest management plan~~ as described in 17 Ill. Adm. Code 1537, except for a cost-share ~~applications~~application for "preparation of Forest Management Plans~~forest management plans~~" practice

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under Section 1536.25.

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

Section 1536.25 Preparation of Forest Management Plans

This practice provides timber growers ~~and/or landowners~~ with ~~an additional~~another opportunity to obtain professional ~~conservation~~ assistance in Plan preparation.

- a) ~~This cost share practice is valid only when a timber grower and/or landowner pays another party for preparation of a Plan. The timber grower and/or landowner must accept the Plan~~approve and sign the Certification Form~~Plan~~ before the ~~IDNR District~~ Forester will authorize reimbursement ~~for~~of the cost-share of the Plan preparation practice.
- b) A cost-share application for this practice must be submitted and approved by the ~~IDNR District~~ Forester prior to development and preparation~~initiation~~ of a Plan. ~~However, for all other cost share practices, an approved Plan must be in effect prior to submission of a cost share application.~~
- c) The Plan must meet the conditions, requirements, standards and specifications ~~as~~ contained in ~~FDA, IFDA and~~ 17 Ill. Adm. Code 1537 and this Section~~Part~~. ~~Additional information to clarify the requirements mentioned above are listed in two publications published by the Illinois Technical Forestry Association: "Recommended Silvicultural and Management Practices for Illinois Hardwood Forest Types" (1972), Extension Forester, Illinois Cooperative Extension Service, University of Illinois, 110 Mumford Hall, Urbana, IL 61801 (no later editions or amendments are included) and "Forest Planting Practices for Illinois" (1974), Illinois Technical Forestry Association, Inc., c/o Department of Forestry, 211 Mumford Hall, Urbana, IL 61081 (no later editions or amendments are included).~~
- d) Components eligible for cost-share reimbursement~~cost-sharing~~ can include: reconnaissance, travel ~~costs~~, secretarial, mailing, ~~and~~ telephone, ~~costs~~, forest inventory, data analysis and plan writing.
- e) Copies of Reconnaissance notes; field data; inventory output per acre and per stand; and analysis of forest inventory must be submitted to the IDNR Forester with the proposed Plan, ~~to the District Forester.~~

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- f) ~~All of the land in a county owned by the same individual(s), partnership(s) or corporations(s) shall be included in a single Plan. Amendments of Plans to increase acreage during the 10-year lifespan of a Plan shall be cost-shared as described below.~~
- fg) ~~The flat rate payment for this practice is \$300 plus Cost-share rate for Plans of silviculture and management on existing forest stands shall be 75% of the owner's cost not to exceed \$7 per acre. The base cost for this practice is \$400 plus \$10 per acre.~~
- h) ~~Cost-share rate for reforestation and afforestation Plans as defined in 17 Ill. Adm. Code 1537 shall be 75% of the landowner's cost not to exceed \$4 per acre.~~
- gi) ~~Fractional acres for all stands and practices in a Plan Plans shall be rounded to the nearest 1/10th acre for cost-share payment as follows: .01 to .49 acres will be rounded down and .50 to .99 shall be rounded up.~~

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

Section 1536.30 Planting Trees and Direct Seeding

The purpose of ~~these practices~~this practice is to establish a stand of forest trees for timber production ~~and compatible natural resource conservation purposes and compatible multiple uses and to provide general environmental benefits.~~

- a) ~~During Plan review, the IDNR~~The District Forester shall ~~verify~~determine the suitability of the land for site preparation and tree planting, considering soil erodibility and ~~necessary~~the economic feasibility of soil stability practices, ~~such as timing of the practice~~ and ground cover requirements.
- b) ~~Cost-share~~Cost sharing is not authorized for:
- 1) ~~Planting fewer~~planting trees or direct seeding on less than 1 acre or planting less than 436435 trees per acre unless the Plan is specifically ~~amended~~modified later, under subsections (c)(2)(E)(iii) and (c)(3)~~Section 1536.30(e)(2)(D)(iii)~~ as approved by a District Forester.

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- 2) ~~Planting~~planting or culture of fruit or nut orchards, windbreaks, Christmas trees, ~~or planting for~~ ornamental trees, landscaping or legally regulated violation mitigation projects. ~~For the purposes of this subsection (b), "mitigation" means alleviation, reduction, abatement or diminution of a condition that is prohibited by State or federal law or regulation.~~
- 3) ~~Irrigation~~irrigation of planted trees.
- 4) Tree, shrub or other plant species not approved by the IDNR Forester.
- 5) More than one method (subsection (c)(2), (c)(3) or (c)(4)) of establishing a stand of trees.

c) Cost-Share Rates/Specification:

- 1) Site Preparation – ~~Flat rate payment for this practice is 75% of the actual cost not to exceed a variable amount ranging from \$30 to \$495\$180 per acre. The base cost is a variable amount ranging from \$40 to \$660 per acre, as determined by the Plan preparer and approved by the District Forester. The Plan preparer conducts a careful field inspection of current vegetativevegetation cover on the site to determine the appropriate categoryto be prepared, and then uses categories and cost-share rateamounts in (see subsection (c)(1)(A))(B) to make a determination about the cost share rate per acre. Treatment is to be applied to/attempted for all target species present and is to result in a minimum mortality or effective control rate of 85%.~~

~~A) Cost share categories and corresponding variable cost share amounts shall be prorated per acre, per category, and shall be approved by the District Forester.~~

~~A B) Cost-share Categoriescategories and variable-Cost-share Payment Ratespayments follow:~~

	<u>Flat</u>	
	<u>Rate/A.</u>	<u>Base</u>
Category	<u>Variable</u>	<u>Cost/A.</u>

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	Cost-Share Amounts Not to Exceed, Per Acre	
i) <u>Primarily annual vegetation</u> utting <u>Vegetation</u> or heavy residues that <u>which</u> will cause some difficulty in normal planting.	\$30	<u>\$40</u>
ii) 60% <u>Sixty percent</u> or more of area in <u>perennial grasses and/or</u> <u>broadleafsod and broad-leaved</u> herbaceous plants, <u>or up to</u> 40% of area in light woody cover, stems 2two inches or less diameter at ground line.	\$60	<u>\$80</u>
iii) More than 40% of area occupied by woody vegetation, briars, vines, or woody stems 2two inches diameter or less at ground line, but can include up to 50 <u>25</u> stems per acre greater than 2two inches at ground line.	\$90	<u>\$120</u>
iv) More than 40% of area occupied by woody vegetation greater than 2two inches diameter at ground line, ; or more than 75 <u>25</u> stems per acre greater than 2two inches diameter at ground line.	\$180	<u>\$240</u>
v) <u>More than 80% of area occupied</u> <u>by woody vegetation greater than</u>	<u>\$495</u>	<u>\$660</u>

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2 inches diameter at ground line, or more than 200 stems per acre greater than 2 inches diameter at ground line.

- B) This practice may only be approved for acres limited to areas having undesirable or competing vegetation or residue (such as grass sod, perennials ~~and/or~~ annual broadleaved plants and trees ~~and/or~~ shrubs). Practice acres ~~These areas~~ will be planted ~~replanted~~ to stock desirable tree species.
- C) Measures and practices necessary to minimize erosion must be undertaken ~~and plantings must be~~ according to prescribed specifications ~~standards~~ set forth in the approved Plan. Measures may include, but are not limited to, hand planting, machine planting on contour, establishment of temporary herbaceous cover, the use of herbicides for minimum disturbance of established cover and similar accepted practices as set forth in the approved Plan. Temporary herbaceous cover means oats, rye, wheat or similar grain.
- D) Site preparation ~~Removal~~ may be undertaken mechanically with machinery or by including all normal farm tillage implements, chopping, cutting or sawing and may include use of herbicides and/or prescribed fire. Aerial spray applications (herbicides by helicopter or fixed-wing plane) will not be approved for more than the \$180 per acre rate established in subsection (c)(1)(A)(iv). Herbicides may also be used with mechanical measures or to replace mechanical measures.
- E) One approved category and practice is allowed once in any 10 year period unless specifically approved by the IDNR Forester, based on the standards in subsection (c)(2)(F), due to practice failure from extreme natural causes.
- 2) Tree Planting Bare Root Stock (Trees and Labor) – Flat rate payment for purchasing and planting stock is a variable amount ranging from \$300 per acre using 436 trees per acre (base cost \$400/acre) to \$619 per acre using

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~~900 trees per acre (base cost \$825/acre). 75% of the actual cost not to exceed \$95 for no-cost planting stock or \$280 for purchased planting stock, per acre.~~

- A) Selected tree species and seed sources of stock to be planted must be used and must be established in accordance with the Plan specifications and subsection (c)(2)(F)(i).
- B) All planted trees ~~Plantings~~ must be tightly packed and firmly adhered to the soil ~~made in accordance with the Plan. Trees must be firmly planted~~ at the proper depth, regardless of type of. ~~Tree planting~~ machinery ~~machines~~, augers, ~~or~~ hand tools or other methods of physical planting ~~may be~~ used.
- C) At least 90% of the conifer stock must be not less than 3/32 inch in caliper as measured at 1 inch above the root collar ~~(nursery soil line)~~. At least 90% of the hardwood stock shall be no less than 7/32 inch caliper as measured at 1 inch above the root collar ~~(nursery soil line)~~. Hardwood ~~In addition to the standards above, hardwood~~ stock purchased from private nurseries ~~shall be ordered~~ from the 12-18 inch height category or larger as described in the nursery's catalog or other written description are considered to meet the 7/32 inch caliper requirement.
- D) Seedling stock seed source must originate within 100 miles north or 200 miles south of the planting site, unless otherwise specified in the Plan.
- E) Spacing requirements are as follows:
- i) Plant seedlings 6 to 12 feet apart in rows 6 to 12 feet apart. Plant at least 436 and no more than 1210 ~~435~~ trees per acre (however, the cost-share will consider no more than 900 trees per acre (see subsection (c)(2)).
 - ii) Underplantings may be approved for less than 436 trees per acre and only ~~Interplantings~~ within wooded areas receiving at least 40% ~~are to be spaced 6 feet apart or more in~~

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~~openings which receive partial or full~~ direct sunlight.

- iii) Variations in these spacing and seedling density standards may be made ~~to enhance an existing forest area or riparian area~~ in accordance with the Forestry Management Plan (Plan) created under 17 Ill. Adm. Code 1537 and written recommendations approved by the IDNR District Forester.
- iv) Cost-share for plantings greater than or planting of less than 436435 trees per acre will be prorated at \$0.69 per tree, not to exceed 900 trees per acre using 435 trees as the basis.

~~FE)~~ Stocking and Replanting Requirements~~replanting requirements:~~

- i) A minimum survival rate of 70% of the planted stock specified must be maintained for the 10 year lifespan of the practice. Natural regeneration of acceptable species may be used to supplement minimum survival of planted trees if approved by the IDNR Forester, based on soil type, drainage, soil productivity and other growing conditions. At least 300 of the planted trees, per acre, must be maintained throughout the practice lifespan.
- ii) If Cost-share assistance for replanting will be available where losses are due to natural causes, such as heat, drought, flood, hail, and similar occurrences, if 70% of the prescribed a stand is not obtained, or if a stand deteriorates to less than 70% within the first or second two growing seasons, cost-share assistance for replanting may be available when stocking losses are due to extreme natural causes, such as drought, flood, hail, depredation or similar occurrences.
- iii) Cost-share will not be authorized for planting failures due to improper Plan implementation or factors within the control of the timber grower.

3) Tree Planting Containerized Stock (Trees and Labor)

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Flat rate payment for this practice is \$315 per acre. The base cost for this practice is \$420 per acre.

- A) Planting of containerized stock may be used in addition to natural regeneration or certain other, non-cost-shared reforestation methods when approved by the IDNR Forester as part of a Plan.
 - B) This practice is limited to areas that will naturally regenerate within 3 years. A seed source for desirable natural regeneration must be within 200 feet of the planting area. A combined minimum of 500 acceptable desirable trees per acre must be present 3 years following planting and must be maintained for the 10 year lifespan of the practice.
 - C) Containerized trees must be hard mast producing species, such as oak, black walnut, hickory or others that are at least 2 gallon sized and have a planted height of no less than 3 feet and a caliper no less than 3/8 inch as measured 1 inch above the root collar.
 - D) Tree seed source must be within 100 miles north or 200 miles south of the planting site, unless otherwise specified in the Plan.
 - E) Plant trees 20-80 feet apart in rows 20-80 feet apart so that at least 28 planted trees are well distributed throughout each planted acre.
 - F) Underplantings may be approved for fewer than 28 trees per acre. Underplantings must receive at least 40% direct sunlight. The cost-share rate for planting fewer than 28 trees per acre will be prorated down using the 28 tree stocking level as the basis.
- 4) Direct Seeding Component (Seed and Labor)
The flat rate payment for purpose of this practice is \$100 per acre for free or collected seed or \$250 per acre for purchased seed stock. The base costs for this practice are \$133 per acre for free or collected seed and \$333 per acre for purchased seed to extend limited supplies of plant materials and thereby to increase forestation.
- A) Direct seeding may be used in lieu of seedling planting, when

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approved by the IDNR District Forester as part of a Plan.

- B) AGENCY NOTE: Reference for Direct Seeding~~As references for standards use:~~
R. Herman, D. Schmoker, B. Sloan and T. Ward, 2003 Illinois Direct Seeding Handbook, A Reforestation Guide, Illinois EPA and USDA Natural Resources Conservation Service, Champaign IL. "Direct seeding of Southern Oaks — A PROGRESS REPORT", by Robert L. Johnson and Roger M. Krinard, Southern Hardwoods Laboratory, Stoneville, MS, Forest Service, USDA (1988); and the guidelines offered in Silvics of Forest Trees of the United States (1974), Agriculture Handbook 271, Forest Service, USDA, Washington, DC 20250. (No later editions or amendments are included.)
- BE) Spacing Requirements~~This cost share practice may be attempted a second time if through no direct fault of the landowner (i.e., drought, tornado, etc.) fewer than 300 seedlings of acceptable growing stock per acre survive after one full growing season.~~
- i) Plant seeds 1 to 2 feet apart in rows 6 to 12 feet apart. Plant at 3,000 to 4,800 hard mast seeds per acre. Soft mast species seeds may be planted in addition to or instead of hard mast species, depending on site conditions.
- ii) Variations in spacing and seed density standards may be made in accordance with written recommendations approved by the IDNR Forester. Flat rate payment for planting greater than or less than 3,000 seeds per acre will be prorated using 3,000 seeds as the basis. Natural regeneration may be used as a supplement to planting if prescribed in an approved Plan.
- CE) Stocking and Replanting Requirements~~If, after 2 full growing seasons there are fewer than 300 seedlings of acceptable growing stock per acre, no further attempts to direct seed shall be made. However, tree planting must be done per subsection (e)(2).~~

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- i) A minimum germination and survival rate of 1,000 planted seeds must be maintained for 2 growing seasons. Natural regeneration of acceptable species may be used to supplement germinated growing stock.
 - ii) If 1,000 seedling trees are not germinated and growing after the first and second growing seasons, cost-share assistance for replanting may be available, subject to IDNR Forester approval, when stocking losses are due to extreme natural causes such as drought, flood, hail, depredation or similar occurrences.
 - iii) Cost-share will not be authorized for planting failures due to improper Plan implementation or factors within the control of the timber grower.
 - iv) Cost-share assistance for replanting is only available once. If fewer than 300 acceptable trees are present after 3 growing seasons, seedling tree planting must be done (see subsection (c)(2)) by planting bare root stock.
- DE) The seed source must be within 100 miles north or 200 miles south of the planting site, unless otherwise specified in the Plan. ~~Cost-share Rate and Specifications~~
- i) ~~This practice shall pay 85% of the owner's cost not to exceed \$95 per acre for seed collected or purchased plus labor and machinery use.~~
 - ii) ~~Seed shall be local source, within 25 miles of the seeding site. Or, if local seed is not available, seed shall be collected within an area described as 50 miles west of the Mississippi River, 50 miles north of the Illinois Wisconsin border, a north-south line extended along the eastern border of Ohio and 100 miles south of the Ohio River.~~
- Eiii) Measures to protect seed from depredation must be prescribed in the Plan. ~~predator pilferage shall be required when predator~~

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~~pilferage is identified as a problem.~~

~~Fiv)~~ Site preparation measures must be implemented as described in the Plan ~~are best done~~ before direct seeding. ~~Additional treatments to introduce adequate sunlight and to reduce competition may be needed.~~

~~v)~~ ~~Overstory removal may be required following establishment of seedlings—saplings.~~

54) Control of Undesirable Vegetation ~~With Herbicides or Mulching – The flat rate payment for this practice is 75% of the actual cost not to exceed \$40 per acre with herbicides or; \$60 per acre with mulch and/or weed control fabric. The base cost for herbicides is \$53 per acre and for mulch or fabric is \$80 per acre. Treatment is to be applied to/attempted for all target species present and is to result in a minimum mortality or effective control rate of 85%.~~

~~A)~~ ~~The practice is limited to plantings that conform to specifications cited in Section 1536.30.~~

~~B)~~ Application of appropriate herbicide products that are labeled and approved by the Illinois Department of Agriculture for this use ~~herbicides may be in either the liquid or granular form and may be pre-emergents or post-emergents or combinations of these types as approved by the District Forester. Application may be applied before, after made as pre-plant, post-plant or at the time of planting, as outlined in the Plan or approved by the IDNR Forester. Continuously treated~~ If vegetation control is a component of the forestation practice, it must be completed to qualify for reimbursement for site preparation and planting. Treated bands for hardwoods shall be 4-6 feet wide or; spot treatments 16-36 square feet in size must be used. Narrower or smaller and wider or larger treatment coverage and broadcast herbicide applications must be detailed in the Plan or approved by the IDNR Forester. ~~shall be at least 12 square feet. For conifers minimum band width is 2 feet, and spots of 4 square feet.~~

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- ~~B~~C) Organic mulches or water permeable cloth or fabric may be used in combination with herbicides or in lieu of herbicides. Continuous mulch of fabric bands 4-6 feet wide or spot treatments 16-36 square feet in size must be used. The and must be used if required in the approved management Plan, to qualify for site preparation and planting payments. Minimum per seedling mulched area is 12 square feet with an initial depth of mulch must be maintained at 4-10 inches deep for 2 growing seasons. Fabrics must be kept secured and functional for 2 growing seasons. Mulched areas must be pretreated by removing existing vegetation to expose mineral soil prior to applying the mulch. Weed control fabric (cloth) can be used if at least 9 square feet is used around each seedling.
- ~~C~~D) Undesirable vegetation ~~Herbicide or mulching applications must be controlled made, if prescribed required in the Plan, in order to receive approval and included on the practice cost share application, to qualify for site preparation and planting cost-share payments. Two additional applications, within 5 years after the original stocking, to control undesirable vegetation may be required by the IDNR Forester and determined eligible for cost-share payment.~~
- ~~E~~) ~~Treatments for control of undesirable vegetation may be cost-shared for a second and third application as prescribed in the Plan and approved by the District Forester.~~

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

Section 1536.40 Fencing to Protect Forests and Plantations

- a) A Plan may require fencing ~~The practice is limited to building permanent fences needed to exclude livestock.~~
- b) ~~The distance between posts or live trees must not exceed 1 rod (16.5 feet).~~ Limited use of live trees is permitted, provided 2" x 4" nailing strips of durable wood are used between the wire and the tree.

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- c) ~~Boundary fences and fences adjacent to roads are not eligible for cost-share. No assistance will be given for boundary fences or fences adjacent to roads.~~
- d) ~~Cost-Share Rates/Specifications~~Specification – The flat rate payments and corresponding base costs ~~cost share amounts~~ vary by type of fence constructed. All fence must be a minimum of 4 feet in height.; ~~however, the rate will be 75% of actual cost not to exceed these limits:~~
- 1) A woven wire fence must consist of at least a ~~32~~26 inch woven wire with at least ~~two~~ strands of barbed wire on top. The distance between posts or live trees must not exceed 17 feet. The flat rate payment for woven wire fence is \$15 per rod (16.5 feet). The base cost is \$20 per rod. ~~—\$12 per rod.~~
 - 2) A barbed wire fence must be at least ~~3~~three strands. The distance between posts or live trees must not exceed 17 feet. The flat rate payment for barbed wire fence is \$12 per rod. The base cost is \$16 per rod. ~~—\$11 per rod.~~
 - 3) ~~If other fence materials are used, all weather wood or native lumber highly resistant to decay may be substituted for barbed wire if required for certain domestic animals—\$12 per rod.~~
 - 4) ~~A suspension fence will consist of at least four strands of barbed wire with the distance between posts not to exceed 100 feet and sufficient wire spacers to prevent sagging—\$6 per rod.~~
 - 3) A high-tensile fence ~~must~~will consist of at least ~~5~~6 strands of wire with the distance between posts not to exceed ~~30~~40 feet, with sufficient droppers to maintain proper wire spacing. The flat rate payment for high-tensile wire fence is \$12 per rod. The base cost is \$16—\$9 per rod.
 - 4) Alternative materials and design may be used as approved by the IDNR Forester using materials that are treated or naturally resistant to decay. The flat rate payment for alternate materials fence is \$12 per rod. The base cost is \$16 per rod.

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

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Section 1536.50 Tending Forest Stands (Repealed)

~~Profitable production for timber, wildlife mast, or aesthetics can result from the application of proper methods of thinning or releasing of desirable crop trees and by cutting of designated vines attached to desirable crop trees. Thinning, vine removal and pruning are methods to increase growth rates of the best crop trees. Vines not on crop trees shall be retained for wildlife benefit.~~

- a) ~~Cost sharing will be approved for area one acre or larger.~~
- b) ~~Improvement measures shall be carried out in such a manner as to improve or protect the quality of the environment, especially wildlife habitat, as described in the Plan.~~
- e) ~~Cost Share Rates/Specifications~~
 - 1) ~~Thinning/Crop Tree Release—75% of actual cost not to exceed \$45 per acre.~~
 - A) ~~The District Forester must give prior approval of the practice area, the methods to be used based upon the density and condition of the trees, and the economic feasibility of the practice.~~
 - B) ~~Work shall be done by cutting, girdling, and herbicide treatment of the surplus, diseased, cull or weed trees and by cutting designated vines attached to desirable crop trees. Thinning should release desirable tree species so as to leave per acre an adequately stocked stand composed predominately of high ranked timber species, well distributed, as described in the Plan. Stocking guides and species rank shall be determined by use of the appropriate table in "Recommended Silviculture and Management Practices for Illinois Hardwood Forest Types", Illinois Technical Forestry Association (1972), Extension Forester, Illinois Cooperative Extension Service, University of Illinois, 110 Mumford Hall, Urbana, IL 61081 (no later editions or amendments are included).~~
 - C) ~~Croptree management practice guidelines will follow the recommendations provided by "Croptree Management in Eastern~~

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~~Hardwoods" (Circa 1993), NA TP 19-93, USDA Forest Service, Arlyn Perkey, Morgantown, WV (no later editions or amendments are included).~~

- ~~D) Herbicide treatment of stumps may be omitted when crop trees released are more than 20 feet tall. Herbicide treatment may also be omitted, if a double girdle is utilized. Double girdling shall be done only when stump sprouting will not be a serious problem. This method is described in Central Hardwood Notes, 6-10, August 1989 Northeastern Area, State and Private Forestry. USDA Forest Service. Both exceptions above must be approved in writing by the District Forester. All other treatment methods require use of approved herbicides.~~
- ~~E) Harvesting practices and silvicultural systems as prescribed in the Plan must be followed.~~
- ~~F) Cost Share assistance will not be given for any acre from which commercial products are being sold or traded in the process of carrying out the timber stand improvement practices.~~
- 2) Pruning Crop Trees (side branch pruning) — 75% of actual cost not to exceed \$75 per acre.
 - A) The District Forester must give prior approval of the practice area. Crop trees must be marked or otherwise designated and the methods must be described in writing.
 - B) In coniferous stands, the trees must have a minimum total height of 18 feet. All dead branches and all live branches up to one-half the total height of the trees must be pruned. Pruning to a total height of 17 feet is required where the trees are tall enough to meet this requirement. Not more than 100 final coniferous crop trees per acre, well distributed throughout the stand will be considered in determining the cost share payment.
 - C) In deciduous stands, pruning to total height of 17 feet is required where trees are tall enough to meet the requirement of 34 feet.

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~~Pruned trees shall retain 40% to 50% of total height as live crown. Deciduous stands must have attained a minimum height of 12 feet to effect a minimum pruning height of 6 feet. Not more than 100 well distributed desirable crop trees per acre shall be selected and fine hardwood (white and red oak, black walnut, etc.) species will be given prime consideration. In order to reduce the risk of decay, prune no live limbs over 3 inches in diameter.~~

- ~~D) All pruning must be as close to the stem as possible without disturbing the branch bark ridge and branch collar.~~
- ~~E) Corrective pruning to influence tree form may be required in the Plan; but such pruning shall not be cost shared unless undertaken along with side branch pruning.~~

(Source: Repealed at 41 Ill. Reg. _____, effective _____)

Section 1536.51 Timber Stand Improvement

The purpose of Timber Stand Improvement (TSI) is to increase tree growth and quality, improve forest vigor and health, influence tree species composition, enhance diversity of native flora, and improve wildlife habitat in forest stands by eliminating certain trees and vegetation to achieve optimal forest conditions. TSI practice is intended to benefit high quality desirable tree species in the dominant, codominant or intermediate canopy layer. TSI is implemented on the ground by following a detailed quantitative and qualitative prescription.

- a) Cost-share is only authorized for TSI based upon a silvicultural prescription, approved by the IDNR Forester, developed using forest stand analysis that supports the purpose for this practice and the goals and objectives stated in the Plan.
- b) Cost-Share Rates/Specifications
 - 1) Timber Stand Improvement – The flat rate payment for this practice is a variable amount ranging from \$45 to \$60 per acre. The base cost is a variable amount ranging from \$60 to \$80 per acre. The Plan preparer shall conduct a careful field inspection of current tree cover and condition to determine the appropriate category and cost-share rate. The cost-share

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categories and cost-share rates are:

- A) Kill a minimum of 10 square feet for BA (basal area) per acre and release a minimum of 15 desired trees per acre. The flat rate payment for this practice is \$45 per acre with a base cost of \$60 per acre; or
- B) Kill a minimum of 30 square feet of BA per acre and release a minimum of 25 desired trees per acre. The flat rate payment for this practice is \$60 per acre with a base cost of \$80 per acre.
- 2) Work will be accomplished using approved methods, including cutting, girdling, herbicide treatment, or a combination of methods to favor and release trees to leave an adequately stocked stand composed of high quality, well-distributed trees. All cut trees not girdled must be completely severed from their stump. Stocking guides and species selection shall be determined by referencing literature and tables in "Recommended Silviculture and Management Practices for Illinois Hardwood Forest Types", Illinois Technical Forestry Association (1972), Illinois Cooperative Extension Service, University of Illinois, 110 Mumford Hall, Urbana IL 61081 or in "Crop Tree Management in Eastern Hardwoods", Arlyn Perkey 1993, NA-TP-19-93, USDA Forest Service, Morgantown WV (no later editions or amendments are incorporated).
- 3) Herbicide application treatments are required in implementing this practice when utilizing any method. Applications of herbicide must conform to and follow the label on appropriate herbicide products that are labeled and approved by the Illinois Department of Agriculture. Herbicide application may be omitted on cut stems or stumps of any desirable forest species noted in the Plan or on certain other species if approved by the IDNR Forester.
- 4) Cost-share assistance will not be approved for any acre from which commercial products from that acre are sold or traded in the process of carrying out the timber stand improvement practices.

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

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Section 1536.55 Pruning Hardwood Crop Trees

The purpose of pruning is to improve the quality and quantity of crop trees in a forest stand.

- a) Acceptable pruning of crop trees is corrective pruning to a single leader with side branch pruning. The flat rate payment for this practice is \$105 per acre. The base cost is \$140 per acre.
- b) The IDNR Forester must give prior approval of a practice area with individual trees marked and/or having a detailed written prescription addressing a minimum of 40 crop trees per acre having a minimum of 4 inches diameter at breast height (DBH).
- c) Prune to total height of 17 feet and retain at least 40% of total tree height as live crown. Prune no live limbs over 3 inches in diameter.
- d) All pruning final cuts must be targeted as close to the stem as possible without disturbing the branch bark ridge and branch collar. Assure that no branch stubs or flush pruning cuts are left on pruned trees.
- e) Corrective pruning to influence tree form may be required in the Plan during the establishment of a forest stand. Early corrective pruning shall not be cost-shared unless undertaken along with side branch pruning as described in this Section.

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

Section 1536.60 Permanent Firebreaks for Management and Protection of Forests

The purpose of this practice is to provide a practical and low cost way of affording protection to forests from damage by wildfire and to facilitate the use of prescribed fire as a management tool.

- a) The lower branches of trees adjacent to firebreaks must be pruned to increase the effectiveness of the practice. b) Cost Share Rates/Specifications 1) Firebreak Construction. The flat rate payment for this practice is \$200 plus \$4 per rod. The base cost for this practice is \$267 plus \$5 per rod. construction — 75% of actual cost not to exceed \$1.50 per rod.

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- b2) Firebreaks ~~for the area~~ shall be cleared to a minimum of 1 rod in width. ~~Place (If erosion is a problem, place firebreaks on the contour, where possible, or construct the appropriate number of water bars to deflect flowing water.)~~ Place
- c) Drainage structures shall be installed according to Table 5.1 in the Illinois publication Forestry Best Management Practices (available on the internet from the University of Illinois (web.extension.illinois.edu/forestry/timber_harvest/il_forestry_bmps_2007.pdf), Southern Illinois University (mypage.siu.edu/eholzmue/index_files/ilbmp.pdf) or from IDNR, Division of Forestry Resources, One Natural Resources Way, Springfield IL 62702; June 2007) when the grade exceeds 5%.
- d3) Firebreaks shall be permanent and shall be established and maintained by one of the following methods, assuring cleared functional width is maintained, must be disced at least twice annually to keep vegetation from accumulating or as indicated in the Plan.
- 1) Disk at least twice annually to keep vegetation from accumulating as fuel or as otherwise detailed in the Plan.
 - 2) Establish and maintain by mowing a cover crop of cool season grass, clover or cereal grain. Vegetation must be maintained at a height less than 12 inches.

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

Section 1536.65 Reducing Wildlife Damage

Control of wildlife ~~Wildlife~~ damage ~~control~~ is necessary at times to protect the investment in tree planting, direct seeding, or natural regeneration.

- a) This practice is limited to situations in which ~~where~~ the need for damage control is evident or highly probable based on wildlife population. Consultation with IDNR ~~DNR~~ District Wildlife Biologists is advised.
- b) In addition to these cost-share practices, other strategies to control wildlife damage must be included in the Plan and ~~must be implemented with the cost~~

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~~share practice.~~

- c) Strategies ~~may~~ include ~~legal~~: ~~Legal~~ hunting, providing alternate habitats, planting of species not favored by a given wildlife species, vegetation management~~eliminating mowing~~, or planting a companion species.
- 1) Tree Shelters. The flat rate payment for this practice is \$225 shelters—75% of the actual cost not to exceed \$150 per acre. The base cost is \$300 per acre. Commercial plastic or mesh products or other noncommercial materials or designs approved by the IDNR Forester may be used. The recommendation in the Plan as approved by the District Forester shall be followed. Requirements include:
- A) A minimum of 50 tree~~Tree~~ shelters shall be evenly distributed throughout each acre.
- B) Tree shelters~~Shelters~~ shall be maintained on desirable species~~as installed~~ for the life of the shelter or until they interfere with the growth of the tree. ~~Shelters may be moved to other seedlings only if the original trees have died.~~
- C) Durable rot resistant stakes of wood, fiber, bamboo or other natural materials must be used.
- D) Mesh~~Nylon mesh~~ caps or other approved barriers shall be used as necessary~~may be needed~~ to prevent injury to avian species~~death of birds~~.
- E) Tree shelters must be a minimum height of 4 feet~~For protection from deer, 4 foot shelters meet minimum requirements.~~
- F) Cost-share of fewer than 50 shelters per acre is authorized only in conjunction with planting of containerized trees as defined in Section 1536.30(c)(3). Cost share for fewer than 50 shelters per acre will be prorated using 50 shelters as the basis.~~50 shelters per acre is the minimum.~~
- 2) Electric Fencing. The flat rate payment for this practice is \$0.75—75% of

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~~the actual cost not to exceed \$0.50 per foot. The base cost is \$1.00 per foot. The purpose is to construct and maintain an electrified fence to repel deer from forestation or natural regeneration areas, sites, as follows:~~

- A) ~~Use VGR type fence wire, stainless steel fence wire enclosed in plastic, wire ribbon or other suitable fence wire. Fence wire must be clearly visible or is the preferred type. Other wire may be used, but must be marked with bright color at minimum intervals of 25 feet.~~
 - B) ~~Design of fence must be submitted in writing and/or as diagrams or drawings and approved by the IDNR Forester prior to construction. For maximum benefit the fence must be charged throughout the year so as to affect deer behavior.~~
 - C) ~~The service life of the fence shall be determined in the Plan or by separate written prescription.~~
 - D) ~~The fence should be installed prior to planting or at the time of planting to influence deer behavior.~~
- 3) ~~Repellants. The flat rate payment for this practice is—75% of the actual cost not to exceed \$15 per acre. The base cost is \$20 per acre. The purpose is to prevent damage to trees by reducing wildlife browsing to protect forestation or natural regeneration sites.~~
- A) ~~Scent~~~~Either scent or taste repellants~~ or physical barriers such as bud protectors may be used as specified in the Plan; the Plan shall prescribe specific types.
 - B) ~~Label~~Label ~~directions for rates, timing and frequency on approved scent and taste products must be followed. Renewal applications must be made in a timely manner, per the label.~~
 - C) A minimum of 50 trees evenly distributed throughout each acre must be treated to protect the terminal leader by using physical barriers. The primary treatment shall be done by treatment of the central leader of the seedling.

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- 4) ~~Bud or Growing Point Protectors — 75% of the actual cost not to exceed \$5 per acre. Such devices as mesh netting, tubes, or bud caps may be used to protect seedling plants. Installation of such devices shall be according to the manufacturer's recommendations and the written prescription in the Plan.~~

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

Section 1536.70 Site Preparation for Natural Regeneration

The purpose of this practice is to ~~create site conditions, including adequate light conditions reaching the forest floor, favorable for the establishment, development and/or release of desirable regeneration establish a stand of high value forest species through natural regeneration for timber production purposes and to protect and improve the environment. For guidelines on species preference, refer to the ITFA Guide, cited previously, in Section 1536.25(c).~~

- a) ~~Cost-share~~Cost sharing is not authorized for areas ~~totaling~~of less than one acre.
- b) ~~Cost-share may be~~Cost sharing is authorized for planting seed or planting seedlings should one additional regeneration treatment, by use of seed or seedlings on the area originally site prepared, if by uncontrollable circumstances, such as weather related problems, etc., natural regeneration fail fails to become established to the ~~desired~~required stocking level within 4 full growing seasons after site preparation for natural regeneration has been implemented.
- c) This practice should only be prescribed within 15 years prior to a scheduled harvest or post-harvest as prescribed in the Plan.
- d) Cost-Share Rates/SpecificationsSpecification
- 1) Tree/Shrub Removal. The flat rate payment for this practice is a variable amount ranging from \$75 to \$270 per acre. The base cost is a variable amount ranging from \$100 to \$360 per acre. The Plan preparer shall conduct a careful field inspection of current vegetative cover on the site to determine the appropriate category and cost-share rate.
- A) Cost-share Categories and Cost-share Rates

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	<u>Category</u>	<u>Flat Rate/A.</u>	<u>Base Cost/A.</u>
	i) <u>treat fewer than 150 stems/A.</u>	<u>\$75</u>	<u>\$100</u>
	ii) <u>treat 150 through 300 stems/A.</u>	<u>\$90</u>	<u>\$120</u>
	iii) <u>treat 301 through 1000 stems/A.</u>	<u>\$180</u>	<u>\$240</u>
	iv) <u>Treat more than 1000 stems/A.</u>	<u>\$270</u>	<u>\$360</u>
B)	<u>Target plants will be removed by cutting, girdling and/or herbicide treatment. Undesirable species must be treated with an appropriate herbicide to prevent resprouting. Treatment must address all target species and result in a minimum mortality or effective control rate of 85%.</u>		
C)	<u>Prescribed burning and/or soil scarification may be used in conjunction with this practice.</u>		
D)	<u>The goal of this practice is to obtain a 40-60% stocking level in the stand canopy composed of well-distributed, desirable, dominant and/or co-dominant trees.</u>		
E)	<u>Post-harvest regeneration openings must have a radius, in feet, equal to or greater than the average height of adjacent dominant forest trees. All undesirable live stems necessary to meet practice objectives should be eliminated in regeneration harvest openings.</u>		
F)	<u>Site preparation for natural regeneration may require treatment of woody shrubs and light infestations of woody exotic shrubs, along with undesired trees and tree species, in order to establish adequate light levels to achieve the practice objective.</u>		
G)	<u>Site preparation for natural regeneration under subsection (d)(1)(A)(iii) and (iv) may require killing undesirable stems of small size to adequately meet the practice objective.</u>		

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- 2) Soil Scarification. The flat rate payment for this practice is \$75 per acre. The base cost is \$100 per acre. The goal is to obtain a 60-80% stocking level whereby a minimum of 20% to 40% of the available light reaches the forest floor, and other site factors are modified to enhance regeneration, by means of: reduction or elimination of competing vegetation, including unmerchantable or undesirable trees and brush, discing or tillage, use of foliar, cut surface, injected herbicides, mechanical removal of shallow rooted species, prescribed burn, and other measures as prescribed in the Plan.
- A) The purpose of this component is to expose mineral soil to enhance the establishment of oak and other desirable species.
- B) This practice shall be performed in the fall of an abundant seed crop prior to leaf drop.
- C) A timber harvest, prescribed fire or tree/shrub removal may be needed in addition to scarification to enhance the survival, growth and development of newly established seedlings.
- 3) Prescribed Fire. The flat rate payment for this practice is \$1,500 plus \$50 per acre. The base cost is \$2,000 plus \$67 per acre. The maximum allowable payment to any timber grower in any one fire season is \$7,000. A complete written prescription, in the Plan or submitted as an addendum, must be approved by the District Forester prior to initiation of this practice. The prescription shall address the process outlined in "Regenerating Red Oaks" by Rod Jacobs, Silviculturalist, U.S. Forest Service, State and Private Forestry, St. Paul, Minnesota (1987) (no later editions or amendments are included). The prescription shall also address the "Elements of a Silvicultural Prescription" and the appropriate "Silvicultural Systems and Regeneration Methods" described in the "FORESTRY HANDBOOK" 2nd Edition, Edited by Karl F. Wenger, for the Society of American Foresters, 5400 Grosvenor Lane, Washington DC 20014 (1984) (no later editions or amendments are included).
- A) The objective of this practice is to reduce the density of forest competition and leaf litter to stimulate growth and regeneration of desirable species.

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- B) Cost-share may be authorized for up to 3 fires in the same area within a 10 year period, if prescribed in the Plan. A detailed prescribed fire plan must be prepared and approved, prior to any burning, in accordance with IDNR policy and procedures.
 - C) Prescribed fire must burn forest floor fuels to result in an 80% complete combustion of the target area and fuels.
- 4) ~~Creation of suitable soil conditions for establishment of seedlings of desired species is particularly crucial for oak species. A reasonable expectation of seed deposition on the area to be regenerated must be imminent and abundant before site preparation is performed.~~
- 5) ~~This practice should not be done more than 20 years prior to a scheduled regeneration cut.~~

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

Section 1536.75 Forestry Best Management Practices

The purpose of this practice is to promote the use of best management practices (BMPs) and streamside management zones (SMZs) through the construction, establishment, maintenance or renovation of roads, trails, culverts, stream crossing structures and landing areas for the purpose of improving and protecting soil and water quality.

- a) Cost-share is authorized for the establishment of grasses, legumes or temporary cereal crops on skid trails, log landings or other forest roads or trails used during timber harvesting. Rates include site preparation, seed cost, soil tests and installation.
- b) Cost-share is authorized for the construction and installation of drainage structures.
- c) Cost-share is authorized for the construction and installation of rock fords, culverts and bridges that will be used as temporary or permanent crossings over streams, ravines and ditches during a logging operation.

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d) Practices will be implemented and completed according to the publication Forestry Best Management Practices (see Section 1536.60(c)).

- 1) Critical Area Seeding. The flat rate payment for this practice is \$50 per acre. The base cost is \$67 per acre.
- 2) Water Bars. The flat rate payment for this practice is \$0.50 per linear foot of structures. The base cost is \$0.67 per linear foot of structures.
- 3) Water Deflector and Open Top Culvert. The flat rate payment for this practice is \$3 per linear foot of structures. The base cost is \$4 per linear foot of structures.
- 4) Culverts (steel, aluminum, polyurethane). The flat rate payment for this practice is a variable rate per linear foot of structure based on culvert diameter.

	<u>Category</u>	<u>Flat Rate/Ft.</u>	<u>Base Cost/Ft.</u>
A)	<u>15" diameter culvert</u>	<u>\$16</u>	<u>\$21</u>
B)	<u>18" diameter culvert</u>	<u>\$19</u>	<u>\$25</u>
C)	<u>21" diameter culvert</u>	<u>\$22</u>	<u>\$29</u>
D)	<u>24" diameter culvert</u>	<u>\$25</u>	<u>\$33</u>

- 5) Portable Timber Bridges. The flat rate payment for this practice is \$375 per harvest. The base cost is \$500 per harvest.
- 6) Rock Fords. The flat rate payment for this practice is \$500 per ford. The base cost is \$666 per ford.

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

Section 1536.77 Invasive and Exotic Species Control

The purpose of this practice is to eradicate or control the establishment and spread of exotic and

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invasive plants that threaten forest regeneration, productivity, native plant diversity and wildlife habitat.

- a) Cost-share is authorized for the control of species that are considered a biological threat to the successful establishment or management of the forest flora. Target species must be identified in the Plan.
- b) Invasive and Exotic Species Control. The flat rate payment for this practice is a variable amount ranging from \$30 to \$495 per acre. The base cost is a variable amount ranging from \$40 to \$660 per acre. Treatment is to be applied to/attempted for all target species present and result in a minimum mortality or effective control rate of 85%.

1) Cost-share categories and flat rate payments are:

	<u>Category</u>	<u>Flat Rate/A.</u>	<u>Base Cost/A.</u>
A)	<u>Less than 10% of treatment area occupied by target species; brush mowing may be used</u>	<u>\$30</u>	<u>\$40</u>
B)	<u>10% to 25% of treatment area occupied by target species</u>	<u>\$60</u>	<u>\$80</u>
C)	<u>26% to 50% of treatment area occupied by target species</u>	<u>\$90</u>	<u>\$120</u>
D)	<u>51% to 75% of treatment area occupied by target species</u>	<u>\$180</u>	<u>\$240</u>
E)	<u>More than 75% of treatment area occupied by target species</u>	<u>\$495</u>	<u>\$660</u>

2) Treatment methods can be combined and may be accomplished mechanically and/or by herbicide application, cutting, pulling, burning or other means. Cost-share may be authorized for second and third treatments to the same treatment area within a 10-year period, as outlined in the Plan.

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- A) Additional treatment of Category D or E areas may be cost-shared no higher than Category B.
- B) Additional treatment of Category B or C areas may be cost-shared no higher than Category A.
- C) Aerial applications as an initial treatment will be cost-shared no higher than Category D.

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

Section 1536.80 Appeal

- a) Any ~~landowner and/or~~ timber grower whose proposed Plan or completed practice is not approved by the ~~IDNR District~~ Forester may appeal to the Regional Review Committee pursuant to 17 Ill. Adm. Code 2530. The Regional Review Committee is composed of the Regional Administrator, ~~an IDNR District~~ Forester from another district in the Region and the Forest Management Program Administrator.
- b) The appeal must be made in writing to the State Forester or his or her designee within 30 days ~~after~~from the date that the proposed Plan or completed practice was disapproved by writing to the address in Section 1536.90.
- c) The Regional Review Committee will conduct a meeting to receive written and oral arguments of the applicant and to reconsider the proposed Plan and completed cost-share practices.
- d) The Regional Review Committee will notify the applicant in writing within 30 days after the meeting date stating the reasons for which the original decision is upheld or reversed.

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

Section 1536.90 Information

Anyone wishing additional information concerning this Part, may contact: ~~the~~

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Administrator,
Forest Management Programs,
[Illinois Department of Natural Resources](#)
Division of Forest Resources
[One Natural Resources Way P.O. Box 19225](#)
Springfield [IL 62702-1271, Illinois 62794-9225](#)

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

Section 1536.100 Penalty

Each participant in this [Forestry Development State](#) Cost-Share Program is responsible for complying with the terms and conditions ~~stated in~~ the [Agreement](#), and shall follow the provisions detailed in the Plan. Refund of all cost-share payments made will be required if the [Agreement](#) is not followed and/or the practice is not maintained for its minimum lifespan. Each practice carries a 10 year life span starting on the date the practice was completed and approved by [IDNR](#) ~~the District Forester~~. Refund checks should be made payable to the Illinois Department of Natural Resources. Participants who refuse voluntary repayment will be subject to liens filed against their property or withholding of State payments by the Comptroller of Illinois.

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

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- 1) Heading of the Part: Forest Management Plan
- 2) Code Citation: 17 Ill. Adm. Code 1537
- 3)

<u>Section Numbers:</u>	<u>Proposed Actions:</u>
1537.1	Amendment
1537.2	Amendment
1537.5	Amendment
1537.6	New Section
1537.10	Amendment
1537.12	New Section
1537.15	Amendment
1537.18	New Section
1537.20	Amendment
1537.21	New Section
1537.25	Repealed
1537.30	Repealed
1537.38	New Section
1537.40	Repealed
1537.42	Amendment
1537.45	Repealed
1537.50	Repealed
1537.55	Repealed
1537.60	Amendment
1537.65	Repealed
1537.70	Repealed
1537.71	New Section
1537.72	New Section
1537.75	Amendment
1537.80	Repealed
1537.85	Amendment
1537.90	Repealed
1537.EXHIBIT A	Amendment
1537.EXHIBIT B	Amendment
- 4) Statutory Authority: Implementing and authorized by the Illinois Forestry Development Act [525 ILCS 15]

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- 5) A Complete Description of the Subjects and Issues Involved: This Part is being amended as requirements concerning opportunities with partnering agencies and national opportunities have changed and expanded to further benefit the forest resources and all citizens of Illinois and beyond. Costs of forest management practices in this Part as incentives to grow timber and yield wildlife habitat or other environmental services and benefits have increased. Important practices have been added and obsolete practices have been amended or repealed.
- 6) Published studies or reports, and sources of underlying data, used to compose this rulemaking: None
- 7) Will this rulemaking replace any emergency rule currently in effect? No
- 8) Does this rulemaking contain an automatic repeal date? No
- 9) Does this rulemaking contain incorporations by reference? No
- 10) Are there any other rulemakings pending on this Part? No
- 11) Statement of Statewide Policy Objective: This rulemaking does not affect units of local government.
- 12) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Comments on the proposed rulemaking may be submitted in writing for a period of 45 days following publication of this Notice to:
- Anne Mergen, Legal Counsel
Department of Natural Resources
One Natural Resources Way
Springfield IL 62702-1271
- 217/782-6899
- 13) Initial Regulatory Flexibility Analysis:
- A) Types of small businesses, small municipalities and not-for-profit corporations affected: None

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- 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:

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TITLE 17: CONSERVATION
 CHAPTER I: DEPARTMENT OF NATURAL RESOURCES
 SUBCHAPTER d: FORESTRY

PART 1537
 FOREST MANAGEMENT PLAN

Section	
1537.1	Definitions
1537.2	Forest Management Plan Development
1537.5	Eligibility
1537.6	Cover Page and Certification Form
1537.10	Property Location and Description of the Land to be Managed
1537.12	Goals and Objectives
1537.15	Maps Map of the Area
1537.18	Soils Information
1537.20	Stand Description and Analysis of Forest Types to be Managed
1537.21	Stand Practices
1537.25	Harvest Schedule Projected 10 Years (Repealed)
1537.30	Reforestation and Afforestation (Repealed)
1537.35	Afforestation Plan (Repealed)
1537.38	Conservation Opportunities, Constraints and Concerns
1537.40	Forest Regeneration Plan (Repealed)
1537.42	Recreational Use and Aesthetics Esthetics
1537.45	Soil and Water Conservation Goals (Repealed)
1537.50	Forest Wildlife Habitat Enhancement (Repealed)
1537.55	Protection Measures (Repealed)
1537.60	Management Practice Activity Schedule Silviculture Practices Required, Sequence and Specification
1537.65	An Estimate of the Practice Costs (Repealed)
1537.70	Forest Management Plan Approval (Repealed) Approved
1537.71	Plan Review
1537.72	Cancellation Process
1537.75	Appeals
1537.80	Annual Review Process (Repealed)
1537.85	Information
1537.90	Amended Plans (Repealed)

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EXHIBIT A [Forest Management Suggested Forest Plan Outline](#)
EXHIBIT B [The Illinois Forestry Development Act \(FDA\) "Forest Management Plan Certification"](#)

AUTHORITY: Implementing and authorized by the Illinois Forestry Development Act [525 ILCS 15].

SOURCE: Adopted and codified at 8 Ill. Reg. 8732, effective June 6, 1984; amended at 9 Ill. Reg. 14278, effective September 5, 1985; amended at 14 Ill. Reg. 18222, effective October 29, 1990; recodified by changing the agency name from Department of Conservation to Department of Natural Resources at 20 Ill. Reg. 9389; amended at 41 Ill. Reg. _____, effective _____.

Section 1537.1 Definitions

["Advance Regeneration" – tree seedlings and saplings established and growing in the forest understory.](#)

["Afforestation" ~~means~~ the establishment of forest trees by planting or seeding an area not previously forested a tree crop on an area from which trees have always or long been absent.](#)

["Basal Area" or "BA" – a measurement of the cross-sectional area of a tree, taken at breast height \(4½ ft.\); a term commonly used as a measure of forest density and expressed in square ft./acre means the area of the cross-section of a tree stem at breast height, and is used to express relative density of trees per acre.](#)

["Base Cost" – the estimated total cost of work for a practice based on the market.](#)

["Cancel" – the act of an IDNR Forester cancelling a timber grower's Plan and enrollment in the Program due to:](#)

[sale of property;](#)

[failure to follow or implement prescribed practices;](#)

[failure to adhere to 17 Ill. Adm. Code 1536; or](#)

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due to a timber grower performing or advocating any act or effort that damages, hinders or destroys forest land or forest resources in the FDA Program.

Cancellation removes a timber grower from the Program, thus precluding any benefits of the FDA Program, including preferential property tax assessment levels guaranteed by the program.

"Compatible Forestry Use" – lands not having productive forest, but that are permanent natural features or land uses that facilitate, compliment or enhance natural wildlife habitat, natural resource conservation or environmental or site quality, such as a rock outcropping, open wetland, natural grassland, firebreak, food plot or pond.

"Contiguous" – continuing without interruption by a nonforestry land use.

"DBH" or "Diameter at Breast Height" – the means diameter of a tree's trunk measured at breast height (DBH) defined as 4½ feet above the ground level on the uphill side.

"Desirable Species" – native or adapted forest trees, shrubs and herbs having desirable attributes as forest products and habitat.

"FDA" means the Illinois Forestry Development Act [525 ILCS 15].

"Flat Rate Payment" – a lump sum cost-share payment to a timber grower to cover a portion of the cost of a successfully completed practice, according to 17 Ill. Adm. Code 1536 and the Program Agreement.

"Forest" – a biological community whose dominant vegetation means an area whose principal crop is trees.

"Forestry Best Management Practices" or "BMPs" – practical and economically achievable practices for preventing or reducing nonpoint source pollution.

"Forestry Management Plan" or "Plan" – a written forest management planning document required of an entity entering the Program described in 17 Ill. Adm. Code 1536 and prepared by a timber growers, professional forester or natural

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resource manager to guide and direct the use and management of a forest property according to the FDA, this Part and 17 Ill. Adm. Code 1536. The Plan must be certified by the IDNR Forester.

"IDNR Forester" – an employee of the Department of Natural Resources, Division of Forest Resources, who is designated by position title as Forest Management Program Manager, Regional Forestry Administrator, Forestry Natural Resource Specialist or Natural Resource Advanced Specialist.

"Practice" – specific activities prescribed to be completed in an effort to improve or enhance the health, composition, quality, regeneration and growth of forests.

"Program" means the Forestry Development Cost-share Program authorized by the FDA and implemented at 17 Ill. Adm. Code 1536.

"Reforestation" – ~~means the~~ re-establishment of forest cover by natural or artificial ~~means on areas recently or historically supporting forest cover~~restocking with trees of forest land.

"Regeneration" – the renewal of a tree crop by natural seeding, sprouting, planting, harvesting or other methods; also includes young trees that will develop into the future forest~~means the renewal of a tree crop by natural or artificial means.~~

"Silviculture" – ~~means the~~ art, science and practice of establishing, tending and regenerating forest stands~~art of cultivating forest crops~~ for the production of goods and services; the theory and practice of controlling forest establishment, composition and growth.

"Special Sites" – sites offering unique historical, archaeological, cultural, geological, biological or ecological characteristics.

"Stand" – ~~means a~~ group of trees that, because of their similar age, condition, composition, management history and soil characteristics, are logically managed together as a single unit~~community of trees possessing sufficient uniformity in regard to composition, density, age, spatial arrangement, or condition, thus forming a silvicultural or management entity.~~

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"Stocking" – a function of the number of trees, basal area and quadratic mean diameter per acre in a specific forest area compared to the optimal level to best achieve management objectives. Stocking may be expressed as a percentage or in relative terms such as understocked, fully stocked or overstocked.~~means subjective indication in a forest of the number of trees as compared to the desirable number for best results. (For example—In an upland forest with an average tree diameter of 3 inches, 38 square feet of basal area is acceptable. Where the trees average 18 inches, the acceptable level is 77 square feet, stocking guidelines are to be found in "Recommended Silvicultural and Management Practices for Illinois Hardwood Forest Types" (1972) Extension Forester, Illinois Cooperative Extension Service, University of Illinois, 110 Mumford Hall, Urbana, IL 61081 (No later editions or amendments are included)).~~

"Timber" – trees, standing or felled, and parts of trees, that are capable of attaining a size and form that allows the trees to be sawn into usable lumber products, excluding Christmas tree plantations and woody crops raised primarily or exclusively for use as firewood or biomass.~~means trees, standing or felled, and parts thereof, excluding Christmas trees and producers of firewood.~~

"Timber Grower" –~~means~~ the owner, tenant or operator of land in this ~~State~~state who has an interest in, or is entitled to receive any part of the proceeds from, the sale of timber grown in this State and includes persons exercising authority to sell timber.

"Timber Stand Improvement" or "(TSI)" – a combination of~~is a term comprising all intermediate cultural~~cuttings or other silviculture treatments designed to improve the growth, condition and~~made to improve the composition of the forest, condition and increment of a timber stand.~~

"Treatment" – the act or effort of performing and successfully completing a practice or a combination of practices included in the Plan.

"Tree Shelter" – a constructed or commercially purchased shelter that is at least 4' in height designed to protect a tree from wildlife damage and/or enhance growth. Tree shelters must conform to 17 Ill. Adm. Code 1536.65(c)(1).

"Wetlands" – those areas inundated or saturated by surface water or groundwater at a frequency and duration sufficient to support, and that under normal

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circumstances do support, a prevalence of vegetation typically adapted to life in saturated soil conditions.

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

Section 1537.2 Forest Management Plan Development

Timber growers~~A landowner or their representative~~his/her representative may develop a 10-year Forest Management Plan (proposed Plan)~~forest management plan~~ and submit it to the~~their local~~ Illinois Department of Natural Resources, Division of Forest Resources, IDNR Forester serving the county in which the land is located. The IDNR Forester will review and certify the proposed Plan in accordance with this Part.~~(DNR) District Forester.~~ The Forest Management Plan will include those items listed under Section 1537.10 to 1537.65. A suggested An outline listing all the required content, format and order of an eligible Plan~~of the forest plan is shown in Exhibit A.~~ Plans must adhere to this Part, including Exhibit A. Forest practice standards and specifications recommended or required by the Plan preparer must meet those outlined in 17 Ill. Adm. Code 1536.

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

Section 1537.5 Eligibility

The Illinois Forestry Development Act creates a voluntary cost-share program.~~A timber grower must own or operate at least 5 contiguous acres of land at least 100 feet wide on which timber is produced. No acre on which a permanent building is located shall be included in calculations of acreage for the purpose of determining eligibility.~~

- a) A minimum of 90% of lands designated in the Plan must physically and biologically support forests and timber. Land not supporting forest or growing timber may total up to 10% of Plan acreage if it is a compatible conservation use or important to conservation and timber management and occurs as an integrated, inseparable or adjacent natural resource.
 - 1) Lands used as field windbreaks, commercial nut/fruit orchards, commercial farmland, landscape nurseries, Christmas trees or similar nonforestry uses are not eligible for enrollment.
 - 2) Annual food plots or similar wildlife openings in or adjacent to the forest

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that are tilled, worked and seeded or planted annually or occasionally may not exceed 2 acres and may not occur at a density greater than 2 total acres of plot per 40 acres. No existing forest may be cleared to create a food plot or wildlife opening.

- b) A timber grower must own or operate at least 10 contiguous acres of land that is systematically managed for the production of timber and natural resource conservation. No acre on which a permanent building is located shall be included in calculations of acreage for the purpose of determining eligibility. Once eligibility of the 10 contiguous forest acres is met, additional forested acres one acre in size or larger located on contiguous or adjoining parcels under the same ownership are eligible to be included in the Plan. Non-forested areas adjoining the 10+ qualifying contiguous acres may be included in the Plan for Compatible Forestry Use under subsection (a)(2).
- c) The timber grower must agree to implement the Plan and demonstrate progress in completing the required practices of that Plan. Participants must allow field inspections by the IDNR Forester to ensure Plan compliance.
- d) All acreage and status changes or Plan modifications must be documented on an original or new Certification Form signed by the IDNR Forester and the timber grower.

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

Section 1537.6 Cover Page and Certification Form

All Plans must include the first page as a cover page with the following minimum correct information: timber grower's and Plan preparer's name, address, phone number and email address (if available), date of the proposed Plan preparation, number of acres covered under the Plan and duration of the Plan. Additionally, proposed Plans must be accepted and signed by the timber grower and certified by the IDNR Forester in writing on the Forest Management Plan Certification Form (Exhibit B). The IDNR Forester will notify the timber grower and proposed plan preparer of the certification, or the reasons that prevent the proposed Plan from being certified, within 60 days after receiving it. Upon Plan certification, the timber grower may have the IDNR Forester submit a Plan Certification Form to the Illinois Department of Revenue and the county assessor will be notified quarterly in accordance with Section 10-150 of the Property Tax Code [35 ILCS 200].

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

Section 1537.10 Property Location and Description of the Land to be Managed

The minimum legal description of the property to be managed ~~must~~will include quarter section, section, township, range and county. Plans must describe the relationship of the forest property in context to the surrounding properties. A minimum property description should include a geographic location, access to the property and forest, significant features, management history and restrictive easements and property index number or parcel number (if used by the County Assessor's Office).

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

Section 1537.12 Goals and Objectives

A timber grower's goals or objectives regarding management of the forest or land and any natural resource concerns must constitute a section of the Plan and must be compatible with the FDA, this Part and 17 Ill. Adm. Code 1536. The FDA program participation requires the production of timber as an ongoing objective. Specific stand recommendations in the Plan are to be based on the goals, objectives or concerns stated in that section of the Plan. Management goals, objectives or concerns stated in that section should be clear, time specific, achievable and expressed in terms that are measurable.

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

Section 1537.15 Maps~~Map of the Area~~

Aerial photography or maps clearly depicting the property and forest stands and the soils within the stands, as well as other important features, are required for each Plan. Maps must include at least the information and specifications listed in Section 10 of Exhibit A. A map encompassing the area must accompany the written plan and indicate the stands where silvicultural treatments are required. The map will have a minimum scale of 8" to the mile, and shall be reproducible on black and white copiers.

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

Section 1537.18 Soils Information

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All Plans must include a description of soil properties and features affecting forest growth and productivity. Information may be generalized over the property when soil conditions are uniform or addressed on a stand-by-stand basis and mapped on aerial photography. Soil information must include the soil names, mapping units, site index and timber yield productivity for primary tree species. Information should include facts about drainage, erodability or other management limitations.

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

Section 1537.20 Stand Description and Analysis of Forest Types to be Managed

- a) A description is required for each of the present forest stand regardless of size in acres. The information and data must be described and interpreted in detail and include all items listed in Section 5 of Exhibit A for each forest or reforestation standstands and the conditions that created the existing stand structure, species composition, forest cover types and/or forest site types, and whether the main canopy stand is even aged or all aged.
- b) Systematic Inventory
A systematicAn inventory of eachthe forest stand must bestands conducted and must include all forest trees of 2 inch diameter or larger.
- 1) For each forest stand under 10 acres, data may be collected through any valid systematic or professional methodology.
 - 2) Each forest stand 10 acres or greater requires that a detailed forest inventory be conducted. in accordance with the procedure outlined in the Illinois Forest Inventory dataData must be analyzed by statistically sound software programs or hand calculation based on forest measurement principals. Inventory-analysis programs must beProcessing System (IFIDP) or any other procedures which will be approved by the IDNR ForesterDepartment. Criteria for forest inventory accuracy are $\pm 10\%$ of the basal area/acre and $\pm 10\%$ of the volume/area using a 90% statistical confidence level. provided the criteria for accuracy are met. The IFIDP procedure is filed in all Division of Forest Resource, DNR District Offices and available to the public for review. Trees from 2" DBH should be included in the inventory and accuracy should be + or - 10% of the basal

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~~area at the 66% confidence level. The inventory described is not required for stands less than 5 acres.~~

- c) ~~Copies of inventory plot data~~Inventory and field ~~notes~~data must be delivered to the ~~IDNR District~~ Forester for review ~~upon request~~. The ~~IDNR Forester~~review will determine if all of the ~~information~~required ~~inventory data~~for the plan is ~~present, complete, and~~ meets accuracy requirements. ~~Forestry inventory data is considered valid for 10 years from the growing season it was recorded. Use of older data is not allowed unless specifically approved in writing by the IDNR Forester in advance of Plan preparation (+ or - 10% of the basal area at the 66% confidence level).~~
- d) ~~Forest site types are described in "Recommended Silviculture and Management Practices for Illinois Hardwood Forest Types" (1972), Extension Forester, Illinois Cooperative Extension Service, University of Illinois, 110 Mumford Hall, Urbana, IL 61081 (no later editions or amendments are included); Illinois Technical Forestry Association and forest cover types as described in "Forest Cover Types of the United States and Canada", Society of American Foresters (1980) 5400 Grosvenor Lane, Washington, D.C., 20014 (no later editions or amendments are included). These references are filed with the Division of Forest Resources, Department of Natural Resources District Offices and with the State Library and available to the public for review.~~
- e) ~~Forest Cover — Types~~
- ~~Bald Cypress~~
 - ~~Bald Cypress, Tupelo~~
 - ~~Beech, Sugar Maple~~
 - ~~Black Ash, American Elm, Red Maple~~
 - ~~Black Locust~~
 - ~~Black Oak~~
 - ~~Black Willow~~
 - ~~Bur Oak~~
 - ~~Chestnut Oak~~
 - ~~Cottonwood~~
 - ~~Eastern Red Cedar~~
 - ~~Northern Pin Oak~~
 - ~~Northern Red Oak~~

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~~Northern White Cedar~~
~~Overcup Oak~~
~~Pin Oak, Sweetgum~~
~~Post Oak, Blackjack Oak~~
~~River Birch, Sycamore~~
~~Sassafras, Persimmon~~
~~Silver Maple, American Elm~~
~~Sugar Berry, American Elm~~
~~Sugar Maple~~
~~Sugar Maple, Basswood~~
~~Swan Chestnut Oak, Cherrybark oak~~
~~Sweetgum, Yellow Poplar~~
~~Sweetgum, Willow Oak~~
~~Sycamore, Sweetgum, American Elm~~
~~Tamarack~~
~~Yellow Poplar~~
~~Yellow Poplar, White Oak, Northern Red Oak~~
~~Water Tupelo~~
~~White Oak~~
~~White Oak, Black Oak, Northern Red Oak~~
~~White Pine~~

f) ~~Forest Site—Types~~

~~Oak Hickory~~
~~Mixed Oak~~
~~Mixed Hardwoods~~
~~Mixed Soft Hardwoods~~
~~Mixed Hard Hardwoods~~
~~Mixed Bottomland Hardwoods~~
~~Sycamore, Cottonwood, Willow~~
~~Cypress~~

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

Section 1537.21 Stand Practices

A detailed narrative description and interpretation of recommended and required silvicultural

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practices based on the designated silvicultural system and stand specific objectives is required for each forest or reforestation stand regardless of size in acres. Silvicultural treatments or prescriptions should be integrated with timber grower objectives and management of surrounding stands. Recommendations and information must include all practices required for the following 10 years and include all items listed in Section 6 of Exhibit A.

- a) Timber harvest recommendations must achieve goals of the silvicultural system for forest regeneration and the Plan and harvest recommendations must include strategies to assure timely regeneration of forest stands. Forest practices that establish advanced regeneration prior to harvest are considered a priority to the Division of Forest Resources. A timber harvest projection must be made if a harvest is not recommended in the 10 year schedule. All timber harvesting activities must adhere to the laws of Illinois and follow the Illinois Forestry Best Management Practices (BMPs). A copy of the BMPs (June 2007, or most current version) is available on the University of Illinois, Southern Illinois University and IDNR websites.
- b) Reforestation and afforestation practices must address site preparation, planting methods, vegetation control, species selection, species quantities, spacing and planting design. FDA Certification may be cancelled in accordance with Section 1537.72 if the reforestation is not completed by the second planting season, unless delayed due to circumstances beyond the control of the timber grower.

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

Section 1537.25 Harvest Schedule Projected 10 Years (Repealed)

~~The projection shall be based on forest inventory and will include the description of the areas to be harvested and the estimated volume to be harvested per acre. Harvest schedules are not required for afforestation and reforestation areas or when a harvest is not recommended within 10 years. An unforeseen need for harvest due to salvage and sanitation reasons may be added in an amended plan.~~

(Source: Repealed at 41 Ill. Reg. _____, effective _____)

Section 1537.30 Reforestation And Afforestation (Repealed)

~~This Section, if needed, must address site preparation, planting methods, pre and post care,~~

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~~species selection, soil series, landowner objectives and be identified on the map. The open areas designated for planting and described in an approved plan will not be submitted to the Illinois Department of Revenue as provided by Section 1537.70 until the following provisions are met: the planting is completed or the designated open areas remain idle and are not used for the growing of non-forest crops, pasture or any other agriculture purposes.~~

(Source: Repealed at 41 Ill. Reg. _____, effective _____)

Section 1537.38 Conservation Opportunities, Constraints and Concerns

Plans must address the resource values and items outlined in Section 7 of Exhibit A and integrate forestry practices with conservation of habitats, natural resource features and the greater landscape.

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

Section 1537.40 Forest Regeneration (Repealed)

~~The forest management plan must prescribe an appropriate silvicultural system and include detailed strategies to assure regeneration of the forest. This can be accomplished by silvicultural treatments, timber stand improvement, site preparation, tree planting or combinations of the above activities.~~

(Source: Repealed at 41 Ill. Reg. _____, effective _____)

Section 1537.42 Recreational Use and Aesthetics~~Esthetics~~

- a) Recreation and aesthetic use and visual quality considerations that are compatible with forestry practices, goals and objectives are encouraged. Intensive uses such as commercial campgrounds, off-road vehicle parks, or similar endeavors are not permitted. Passive and/or nonintensive recreational and aesthetic activities that may produce revenue are allowed.
- b) Air, soil and water quality conservation must consider soils, topography and riparian areas when choosing silvicultural treatments and practices. Measures to reduce and stabilize soil erosion shall be included. Recommendations must adhere to federal, State, county and local laws and regulations.

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- c) Wetlands described in the Plan must be conserved and considered when choosing silvicultural treatments and practices. Ecological values of conserving wetlands and forested wetlands shall be discussed.
- d) Fish, wildlife and biodiversity habitat practices that enhance terrestrial and aquatic species should be integrated into the Plan. Recommendations should be consistent with the Illinois Wildlife Action Plan.
- e) Forest health and protection are to be integrated into stand recommendations and practices. Forest health threats or conditions must be addressed, as well as appropriate procedures to detect and adjust management for significant biological and environmental concerns.
- f) Threatened and endangered plant and animal species, as well as special cultural, historical and archaeological resources, must be identified to the extent possible by consulting the Ecological Compliance Assessment Tool (EcoCAT) inventory database available on the IDNR website, through field observations and via communication with timber growers and natural resource specialists. Management recommendations for rare, threatened or endangered species must be discussed with qualified experts and, if a federally listed species requiring habitat protection or special Illinois cultural sites exist, the Plan will be adjusted.

~~These uses, when compatible with the intent of IFDA, shall be incorporated into the plan, depending upon the landowners goals and objectives. Such uses, as follows are encouraged: wildlife observation, sport hunting, fee hunting, hiking, photography and others. Campground use and other intensive uses are not permitted. Development of a hiking trail for recreational uses and esthetic appreciation or for other practical uses may be recommended and prescribed in the plan. Measures to protect soil and water values shall be utilized for trail development and maintenance.~~

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

Section 1537.45 Soil and Water Conservation Goals (Repealed)

~~The forest management plan shall include measures to reduce soil erosion to acceptable tolerance levels. Consideration of the soils shall be made when choosing silvicultural treatments. The treatments chosen on all sites should be those that will stabilize or otherwise conserve the soil, particularly for harvest treatments.~~

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(Source: Repealed at 41 Ill. Reg. _____, effective _____)

Section 1537.50 Forest Wildlife Habitat Enhancement (Repealed)

~~Forest wildlife concerns must be taken into consideration in the implementation of the silviculture practices. The minimum requirements for wildlife is the maintenance of all the forest components from ground cover, shrubs through trees. Enhancement practices, if any, must be integrated in the forest plan and the conservation practices initiated. Practices to enhance forest wildlife populations shall address the most limiting factors for wildlife populations.~~

(Source: Repealed at 41 Ill. Reg. _____, effective _____)

Section 1537.55 Protection Measures (Repealed)

~~Procedures must be established to deal with insect, disease and environmental problems. Where wildfire is a danger, firebreaks or other protective measures must be integrated in the forest plan.~~

(Source: Repealed at 41 Ill. Reg. _____, effective _____)

Section 1537.60 Management Practice Activity Schedule ~~Silviculture Practices Required, Sequence and Specification~~

~~All Plans must~~The plan will include a table~~an outline~~ of the recommended and prescribed ~~forestry~~silvicultural practices to include all items listed in Section 8 of Exhibit A, ~~description of those practices, identification of the areas on the plan map and established timetables for practice installation.~~

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

Section 1537.65 An Estimate of the Practice Costs (Repealed)

~~Costs will be estimated for the practices. The costs may be the landowner's labor and materials consumed or the fee paid to a contractor. The cost will be subject to the ceiling established for the practice under 17 Ill. Adm. Code 1536.~~

(Source: Repealed at 41 Ill. Reg. _____, effective _____)

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Section 1537.70 Forest Management Plan Approval (Repealed)

~~The Forest Management Plan must be approved by the local District Forester. Allow 45 days, after the receipt of the Forest Management Plan, for approval or disapproval by the District Forester. The District Forester will notify the landowner and plan preparer of the approval or the reasons that prevent the plan from being approved. Upon approval the Illinois Department of Revenue and the county Assessor will be notified quarterly in accordance with Section 20e(1) of the Revenue Act of 1939 (Ill. Rev. Stat. 1989, ch. 120, par. 501e(1)). (See Exhibit B for certification of plan).~~

(Source: Repealed at 41 Ill. Reg. _____, effective _____)

Section 1537.71 Plan Review

Active Plans may be modified by the IDNR Forester and/or by agreement of the timber grower and the IDNR Forester to address new forest conditions, concerns or management strategies.

- a) Plan reviews are required biennially. The IDNR Forester is responsible for monitoring the implementation of the Plan by the timber grower. Timber growers must submit a written statement biennially, upon request of the IDNR Forester, stating the present status of the forest and all progress in carrying out the current Plan prescriptions.
- b) Plans are valid until cancelled by the IDNR Forester. Plans must be reviewed at the 10 year anniversary date. A new plan or modified plan must be submitted to the IDNR Forester for renewal of the certification.
- c) Plans may be modified to adjust acreage or management activities, if approved by the IDNR Forester. Modified Plans remain valid for their original 10 years or, with newly collected forest inventory data and results, a new 10 year period can be established.

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

Section 1537.72 Cancellation Process

- a) If a timber grower or property under a Plan is found to be out of compliance for the reasons stated in subsection (b), the Plan may be cancelled or put on

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probationary status. The timber grower will be notified in writing regarding the specific problems resulting in the cancellation and will be given up to 30 days to respond. Probation may allow up to one year to comply with existing, new or modified schedules of management practices approved by the IDNR Forester. If the timber grower is found to be out of compliance for the reasons stated in subsection (c), the Plan will automatically be cancelled.

- b) The Plan will be cancelled or placed on probationary status if the timber grower fails to:
- 1) follow the requirements outlined in the Plan;
 - 2) protect the land from domestic livestock grazing and fire, unless prescribed in the Plan;
 - 3) submit the written statement required by Section 1537.71;
 - 4) successfully afforest/reforest required planting sites by the second available planting season, unless delayed due to circumstances beyond the control of the timber grower;
 - 5) follow Illinois Forestry BMPs during harvest operations.
- c) The Plan will be automatically cancelled for the following reasons:
- 1) the timber grower requests to be removed from the FDA Program;
 - 2) the timber grower no longer meets the minimum criteria or eligibility for certification, except for active, grandfathered parcels;
 - 3) the property is sold or transferred, unless the subsequent timber grower assumes the existing Plan;
 - 4) death of the timber grower, unless the subsequent timber grower assumes the existing Plan;
 - 5) harvest of timber when it was not recommended in the Plan;

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- 6) failure to follow timber harvest recommendations or selling trees not designated, marked or approved by the IDNR Forester;
- 7) the timber grower fails to respond to a letter discussing probation or fails to correct problems that initiated probationary status in the time allowed.
- d) Upon cancellation of a Plan, the Illinois Department of Revenue and the county assessor will be notified quarterly in accordance with Section 10-150 of the Property Tax Code [35 ILCS 200]. If cancellation occurs within the life span of cost-shared practices, monies received by timber growers from State cost-share programs will be subject to recapture pursuant to State and federal law.

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

Section 1537.75 Appeals

- a) Any ~~timber grower/landowner~~ whose property is considered ineligible, whose initial certification is denied, whose Plan is cancelled or whose plan or practice is not approved by the IDNR District Forester may appeal to the Regional Review Committee (see pursuant to 17 Ill. Adm. Code 2530). The Regional Review Committee is composed of the Regional Administrator, an IDNR District Forester from another district in the Region and the Forest Management Program Manager.
- b) The appeal must be made in writing within 4530 days from the date that the Plan was cancelled/plan or practice was not approved to the Forest Management Program Manager at the Administrator address listed in Section 1537.85.

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

Section 1537.80 Annual Review Process (Repealed)

- a) ~~Each subsequent year, during the quarter that the plan was initially approved, the landowner will be required to submit in writing a statement indicating the present status of the forest as it relates to the approved forest management plan and the recommendations contained in it and seek continued approval of that plan.~~
- b) ~~In the event that no modifications are required or requested the plan will be~~

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~~reapproved. If the plan requires revisions it will be updated to reflect these needs and resubmitted for approval to the District Forester.~~

(Source: Repealed at 41 Ill. Reg. _____, effective _____)

Section 1537.85 Information

Anyone wishing additional information ~~concerning this Part~~ may contact the Department of Natural Resources at the following address:

~~Illinois Department of Natural Resources
ORC – Division of Forest Resources
One Natural Resources Way 600 North Grand Avenue West
Springfield IL 62702-1271, Illinois 62706~~

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

Section 1537.90 Amended Plans (Repealed)

~~Plans may be amended to adjust acreage or management activities. Amended plans shall be valid only until 10 years following the effective date of the original plan. Amended plans must be approved by the District Forester, based upon the same standards as the original plan.~~

(Source: Repealed at 41 Ill. Reg. _____, effective _____)

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Section 1537. EXHIBIT A Forest Management ~~Suggested Forest Plan Outline~~**I1a. Cover Page ~~Owner~~**1b. ~~Manager (if applicable)~~

- A. Timber grower's name, address, phone number and email
- B. Plan preparer's name, address, phone number and email
- C. Plan preparation date
- D. Plan acreage
- E. Plan duration and Plan expiration date

I2a. Signatures and Approval Page (IFDA Certification, Exhibit B) ~~Address~~2. ~~Address~~**III3. Property Location and Description**

- A. General land description ~~Location (by Fractional Quarter, Section, Town, Range, Principle Meridian and County)~~
 - 1. Quarter section, section, township, range
 - 2. Name of township and county
- B. Specify how to access property (include GPS coordinates) ~~Area (acres)~~
- C. Adjacent land use to the north, south, east and west of this property
- D. Land use and/or management history
- E. Acknowledgement of easements, legal land designations or encumbrances

IV4. Forest Management Goals and Resource Concerns ~~Description of Land~~

~~Include topography, soils, species growing or planted, history and map of the property for:~~

- A. ~~Open Land (Cropland, pasture, land without forest trees growing on it)~~
- B. ~~Forest Land (Land at least 10 percent stocked by forest trees of any size)~~

V5. Stand Descriptions and Analysis ~~Specific Information, Recommendations~~

- A. Existing forestland ~~Open Land (Afforestation, Reforestation) if applicable~~

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1. Stand # and acreage~~pre-planting recommendations (planting stock, site preparation)~~
 2. Topographic features and aspects~~spacing~~
 3. Soils~~species and numbers required~~
 - a. Soil mapping units
 - b. Site index
 - c. Annual timber productivity or yield (bd.ft./A. or ft³/A.)
 4. Society of American Foresters cover type or IL natural community type~~post-planting recommendations (care of the planted stock)~~
 5. Stand age class or structure
 6. Tree size classes and canopy position
 7. Invasive and/or exotic species
(Provide separate assessments for woody and herbaceous species)
 - a. Species present and relative size
 - b. Percent ground and/or canopy cover
 - c. Average number of woody stems per acre
 8. Advanced regeneration and understory conditions
 9. Forest inventory data (stand and stock tables)
 - a. Stand-level summary data
 - a.1. Trees/A.
 - a.2. Basal area/A.
 - a.3. Volume/A.
 - a.4. Quadratic mean diameter (QMD) or average diameter
 - a.5. Stocking level
 - a.6. Percent stocking
 - b. Species-level summary data, by stand
 - b.1. Trees/A.
 - b.2. Basal area/A.
 - b.3. Volume/A.
 - b.4. Average diameter
 10. Timber quality and timber production assessment
 11. Timber harvest and forest practices history
 12. Active conservation practices or projects
- B. Afforestation or reforestation land~~Forest Land (Established Forest)~~ (if applicable)
1. Stand or field # and acreage~~volume/acre~~
 2. Existing vegetative cover~~basal area/acre~~
 3. Topographic features and aspects~~stocking/acre~~
 4. Site limitations~~growth/acre~~

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5. Soil harvest schedule
 - a. Soil mapping units
 - b. Site index
 - c. Annual timber productivity or yield (bd.ft./A. or ft³/A.)
 - d. Soil drainage class
6. silvicultural practices to meet forest need; planting, regeneration, species, structure and stocking

VI6. Stand Recommendations~~**Soil and Water Conservation Goals—A statement of landowners goals and practices to maintain or reduce soil erosion to meet or exceed Department of Agriculture tolerable level.**~~

- A. Existing forestland
 1. Designation and description of the silvicultural system
 2. Stand-specific objectives
 3. Narrative description of silvicultural practices and treatments necessary to achieve stand objectives and desired future conditions
 4. Appropriate quantified practice and treatment targets based upon stand objectives, silviculture and desired future conditions
 - a. Stocking or density
 - a.1. Basal areas to remove and retain
 - a.2. Avg. # of crop trees/A. to release and retain
 - a.3. Avg. # of trees/A. to remove and retain
 - b. Desired species composition
 - c. Desired stocking percent
 - d. Exotic/invasive species control prescriptions and required targets of treatment
 - d.1. Expected post-treatment results, including residual population structure and density for each prescribed treatment
 - e. Underplanting specifications
 - e.1. Planting stock species
 - e.2. Planting stock type, source and quantity
 - e.3. Location and spacing
 - e.4. Site preparation
 - e.5. Competing vegetation control and maintenance
 - f. Quantified wildlife habitat specifications
 - g. Advance regeneration specifications, composition and quantity

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- E. Forest health and protection
 - 1. Detection and/or management of existing and imminent insects and diseases
 - 2. Implications of relevant or existing invasive/exotic species
 - 3. Physical or environmental threats or damage
 - 4. Livestock management and/or exclusion recommendations if applicable
- F. Threatened and endangered (T&E) species
 - 1. Search Ecological Assessment Tool (EcoCAT) database, available on the IDNR website
 - 2. Explain records or facts of existing and likely T&E species
 - 3. Management implications or constraints of existing T&E species
 - 4. Management for federally listed species requiring habitat protection
- G. Identify and protect special sites
 - 1. Summarize findings from field reconnaissance with regard to special sites (unique historical, archaeological, cultural, geological, biological or ecological characteristics)
 - 2. Provide protection and mitigation measures from planned forest management activities for documented special sites

VIII. Practice Schedule (of all required forestry practices)

- A. Prioritize practices for each stand over 10 years; use a table format
- B. Use one table row for each unique treatment in order of treatment priority
- C. Include the following information under column headings
 - 1. Year practice prescribed
 - 2. Stand
 - 3. Treatment description
 - 4. NRCS practice code
 - 5. Treatment units
 - 6. IFDA requirement? (yes or no)
 - 7. Estimate of actual practice cost
 - 8. IFDA cost-share rate for practices
 - 9. Deadline for practice initiation and completion

IX. Considerations Specific to the Forest Development Cost-Share Program

- A. Plan entitlements for timber grower or subsequent timber growers
 - 1. Eligible for technical assistance from the IDNR Forester

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2. Eligible for IDNR nursery stock, pending availability
3. Eligible for cost-share funds to help implement planned practices
- B. Plan requirements of timber grower or subsequent timber growers
 1. Afforested/reforested area must maintain a minimum stocking level of 300 live, desirable trees/A. during establishment
 2. Repay all cost-share monies if Plan is cancelled
 3. Never remove IDNR nursery stock with the roots attached
 4. Timber harvest marking or operations will be only as approved by the IDNR Forester
 5. Modify the Plan or practices within the Plan period only with approval of both the timber grower and IDNR Forester, and documented in writing
 6. Return biennial review letter to maintain enrollment in IFDA Program
 7. Protect Plan acreage from wildfire
 8. Exclude any Plan acreage accessible to livestock unless approved in the Plan
 9. To implement this Plan according to the practice schedule and not contingent upon State or federal funding
 10. Notify IDNR within 30 days of address or ownership changes

X. Plan Maps (copy-ready on 8.5 x 11 inch paper)

- A. Property map
 1. North arrow and legend
 2. Map with timber grower name, township, county and scale
 3. Depict property and stand boundaries, roads, fields, water and features
 4. Aerial photo having minimum scale of 1" = 660' or 1:7920
 5. Large properties may adjust scale to fit 8.5 x 11 inch paper
 6. GPS coordinates
- B. Soils map
 1. North arrow and legend
 2. Map with timber grower name, township, county and scale
 3. Forest areas and soil mapping units, roads, fields, water and features
 4. Aerial photo having minimum scale of 1:16,000 or larger
 5. GPS coordinates

XI. Appendices

- A. Glossary of technical terminology

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B. Documents cited in the body of the Plan

C. Forest inventory data, output or report

7.	Forest Wildlife Habitat Enhancement—Install compatible practices that will enhance the wildlife habitat potential and meet the owner's objectives.
8.	Protection Measures—Procedures to deal with insect, disease and environmental problems. Where wildfire is a danger, firebreaks must be installed and maintained.
9.	Financial—Discussion of specific costs involved in implementing open land and forestland recommendations.
10.	Outline of Silvicultural Practices Recommended and time schedule of practices.
11.	Other Considerations/Conclusions.

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

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**Section 1537.EXHIBIT B THE ILLINOIS FORESTRY DEVELOPMENT ACT (FDA)
"FOREST MANAGEMENT PLAN CERTIFICATION"**

TIMBER GROWER/LANDOWNER: _____ PLAN NO.: _____

ADDRESS: _____ ACRES: _____

TOWN:town _____ STATE:state _____ ZIP:zip _____

EMAIL: _____

FORESTRY PLAN # _____ ACREAGE: _____
County Case File #

PROPERTY TAX NUMBER:

~~(Required only when plan will be used for preferential tax treatment)~~

LEGAL LOCATION DESCRIPTION:*

Quarter Section T R _____
Township # Range # County
(Fractional Quarter, Quarter, Section, Township #, Range #, County, Principal Meridian)

PROPERTY TAX ID NUMBERS:

1. _____ 3. _____

2. _____ 4. _____

(Required only when plan will be used for preferential tax treatment)

I am the owner of the property or entity for which this plan has been prepared. The plan has been prepared in accordance with the Illinois Forestry Development Act [525 ILCS 15] and meets my requirements. I understand I am obligated to implement the Plan regardless of the availability of incentives and will follow the prescriptions/recommendations to the best of my ability. If any changes in ownership or conditions of the forest occur, I will notify the Department of Natural Resources, Division of Forest Resources, IDNR Forester in writing within 30 days. An approved Forest Management Plan guarantees an equalized assessed valuation of 1/6 of the cropland productivity index for the acreage enrolled in the Program.

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SHALL THIS CERTIFICATION BE FORWARDED TO THE ILLINOIS DEPARTMENT OF REVENUE FOR PREFERENTIAL TAX TREATMENT?

YES NO
(District Forester will forward if YES is checked)

Approval of this plan does not guarantee that all projected cultural practices will be approved for cost share payments. Cost sharing is available on a first-come, first-served basis, as funds are available. Applications for cost-share assistance must be approved by the District Forester before practices are begun.

PLAN DEVELOPED BY: DATE:
TIMBER GROWER
LANDOWNER ACCEPTANCE: DATE:

ILLINOIS DEPARTMENT OF NATURAL RESOURCES APPROVAL BY DISTRICT FORESTER:

DATE:

< choose one or more >

NEW PLAN RENEWAL AMENDED PLAN CANCEL PLAN
CANCELLATION ACREAGE CHANGE ADDRESS CHANGE
FULL TRANSFER PARTIAL TRANSFER

ADDRESS CHANGE OTHER (explain)

* attach additional sheets as needed

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

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NOTICE OF PROPOSED AMENDMENT

- 1) Heading of the Part: Income Tax
- 2) Code Citation: 86 Ill. Adm. Code 100
- 3) Section Number: 100.3370 Proposed Action: Amendment
- 4) Statutory Authority: 35 ILCS 5/304(a)(3)
- 5) A Complete Description of the Subjects and Issues Involved: This rulemaking amends Section 100.3370 to reflect amendments to the Illinois Income Tax Act.
- 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? Yes

<u>Section Numbers:</u>	<u>Proposed Actions:</u>	<u>Illinois Register Citations:</u>
100.3380	Amendment	40 Ill. Reg. 15878; December 2, 2016
100.3390	Amendment	40 Ill. Reg. 15878; December 2, 2016
100.7310	Amendment	40 Ill. Reg. 16181, December 27, 2016
100.7325	Amendment	40 Ill. Reg. 16181, December 27, 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 AMENDMENT

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 for small businesses who are engaged in multistate operations and are required to determine the portion of their business incomes that is taxable by Illinois using the sales factor.
 - 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 Amendment begins on the next page:

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NOTICE OF PROPOSED AMENDMENT

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

SUBPART A: TAX IMPOSED

Section	
100.2000	Introduction
100.2050	Net Income (IITA Section 202)
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)

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- 100.2197 Foreign Tax Credit (IITA Section 601(b)(3))
100.2198 Economic Development for a Growing Economy Credit (IITA 211)
100.2199 Illinois Earned Income Tax Credit (IITA Section 212)

SUBPART C: NET OPERATING LOSSES OF UNITARY BUSINESS GROUPS
OCCURRING PRIOR TO DECEMBER 31, 1986

Section

- 100.2200 Net Operating Losses Occurring Prior to December 31, 1986, of Unitary Business Groups: Treatment by Members of the Unitary Business Group. (IITA Section 202) – Scope
- 100.2210 Net Operating Losses Occurring Prior to December 31, 1986, of Unitary Business Groups: Treatment by Members of the Unitary Business Group (IITA Section 202) – Definitions
- 100.2220 Net Operating Losses Occurring Prior to December 31, 1986, of Unitary Business Groups: Treatment by Members of the Unitary Business Group. (IITA Section 202) – Current Net Operating Losses: Offsets Between Members
- 100.2230 Net Operating Losses Occurring Prior to December 31, 1986, of Unitary Business Groups: Treatment by Members of the Unitary Business Group. (IITA Section 202) – Carrybacks and Carryforwards
- 100.2240 Net Operating Losses Occurring Prior to December 31, 1986, of Unitary Business Groups: Treatment by Members of the Unitary Business Group: (IITA Section 202) – Effect of Combined Net Operating Loss in Computing Illinois Base Income
- 100.2250 Net Operating Losses Occurring Prior to December 31, 1986, of Unitary Business Groups: Treatment by Members of the Unitary Business Group: (IITA Section 202) – Deadline for Filing Claims Based on Net Operating Losses Carried Back From a Combined Apportionment Year

SUBPART D: ILLINOIS NET LOSS DEDUCTIONS FOR LOSSES
OCCURRING ON OR AFTER DECEMBER 31, 1986

Section

- 100.2300 Illinois Net Loss Deduction for Losses Occurring On or After December 31, 1986 (IITA 207)
- 100.2310 Computation of the Illinois Net Loss Deduction for Losses Occurring On or After December 31, 1986 (IITA 207)
- 100.2320 Determination of the Amount of Illinois Net Loss for Losses Occurring On or

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- After December 31, 1986
- 100.2330 Illinois Net Loss Carrybacks and Net Loss Carryovers for Losses Occurring On or After December 31, 1986
- 100.2340 Illinois Net Losses and Illinois Net Loss Deductions for Losses Occurring On or After December 31, 1986, of Corporations that are Members of a Unitary Business Group: Separate Unitary Versus Combined Unitary Returns
- 100.2350 Illinois Net Losses and Illinois Net Loss Deductions, for Losses Occurring On or After December 31, 1986, of Corporations that are Members of a Unitary Business Group: Changes in Membership

SUBPART E: ADDITIONS TO AND SUBTRACTIONS FROM TAXABLE INCOME OF INDIVIDUALS, CORPORATIONS, TRUSTS AND ESTATES AND PARTNERSHIPS

Section

- 100.2405 Gross Income, Adjusted Gross Income, Taxable Income and Base Income Defined; Double Deductions Prohibited; Legislative Intention (IITA Section 203(e), (g) and (h))
- 100.2410 Net Operating Loss Carryovers for Individuals, and Capital Loss and Other Carryovers for All Taxpayers (IITA Section 203)
- 100.2430 Addition and Subtraction Modifications for Transactions with 80-20 and Noncombination Rule Companies
- 100.2435 Addition Modification for Student-Assistance Contribution Credit (IITA Sections 203(a)(2)(D-23), (b)(2)(E-16), (c)(2)(G-15), (d)(2)(D-10))
- 100.2450 IIT Refunds (IITA Section 203(a)(2)(H), (b)(2)(F), (c)(2)(J) and (d)(2)(F))
- 100.2455 Subtraction Modification: Federally Disallowed Deductions (IITA Sections 203(a)(2)(M), 203(b)(2)(I), 203(c)(2)(L) and 203(d)(2)(J))
- 100.2465 Claim of Right Repayments (IITA Section 203(a)(2)(P), (b)(2)(Q), (c)(2)(P) and (d)(2)(M))
- 100.2470 Subtraction of Amounts Exempt from Taxation by Virtue of Illinois Law, the Illinois or U.S. Constitutions, or by Reason of U.S. Treaties or Statutes (IITA Sections 203(a)(2)(N), 203(b)(2)(J), 203(c)(2)(K) and 203(d)(2)(G))
- 100.2480 Enterprise Zone and River Edge Redevelopment Zone Dividend Subtraction (IITA Sections 203(a)(2)(J), 203(b)(2)(K), 203(c)(2)(M) and 203(d)(2)(K))
- 100.2490 Foreign Trade Zone/High Impact Business Dividend Subtraction (IITA Sections 203(a)(2)(K), 203(b)(2)(L), 203(c)(2)(O), 203(d)(2)(M))

SUBPART F: BASE INCOME OF INDIVIDUALS

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Section

- 100.2510 Subtraction for Contributions to Illinois Qualified Tuition Programs (Section 529 Plans) (IITA Section 203(a)(2)(Y))
- 100.2580 Medical Care Savings Accounts (IITA Sections 203(a)(2)(D-5), 203(a)(2)(S) and 203(a)(2)(T))
- 100.2590 Taxation of Certain Employees of Railroads, Motor Carriers, Air Carriers and Water Carriers

SUBPART H: BASE INCOME OF TRUSTS AND ESTATES

Section

- 100.2655 Subtraction Modification for Enterprise Zone and River Edge Redevelopment Zone Interest (IITA Section 203(b)(2)(M))
- 100.2657 Subtraction Modification for High Impact Business Interest (IITA Section 203(b)(2)(M-1))
- 100.2680 Capital Gain Income of Estates and Trusts Paid to or Permanently Set Aside for Charity (Repealed)

SUBPART J: GENERAL RULES OF ALLOCATION AND APPORTIONMENT OF BASE INCOME

Section

- 100.3000 Terms Used in Article 3 (IITA Section 301)
- 100.3010 Business and Nonbusiness Income (IITA Section 301)
- 100.3015 Business Income Election (IITA Section 1501)
- 100.3020 Resident (IITA Section 301)

SUBPART K: COMPENSATION

Section

- 100.3100 Compensation (IITA Section 302)
- 100.3110 State (IITA Section 302)
- 100.3120 Allocation of Compensation Paid to Nonresidents (IITA Section 302)

SUBPART L: NON-BUSINESS INCOME OF PERSONS OTHER THAN RESIDENTS

Section

- 100.3200 Taxability in Other State (IITA Section 303)

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- 100.3210 Commercial Domicile (IITA Section 303)
100.3220 Allocation of Certain Items of Nonbusiness Income by Persons Other Than Residents (IITA Section 303)

SUBPART M: BUSINESS INCOME OF PERSONS OTHER THAN RESIDENTS

Section

- 100.3300 Allocation and Apportionment of Base Income (IITA Section 304)
100.3310 Business Income of Persons Other Than Residents (IITA Section 304) – In General
100.3320 Business Income of Persons Other Than Residents (IITA Section 304) – Apportionment (Repealed)
100.3330 Business Income of Persons Other Than Residents (IITA Section 304) – Allocation
100.3340 Business Income of Persons Other Than Residents (IITA Section 304)
100.3350 Property Factor (IITA Section 304)
100.3360 Payroll Factor (IITA Section 304)
100.3370 Sales Factor (IITA Section 304)
100.3371 Sales Factor for Telecommunications Services
100.3373 Sales Factor for Publishing
100.3380 Special Rules (IITA Section 304)
100.3390 Petitions for Alternative Allocation or Apportionment (IITA Section 304(f))
100.3400 Apportionment of Business Income of Financial Organizations for Taxable Years Ending Prior to December 31, 2008 (IITA Section 304(c))
100.3405 Apportionment of Business Income of Financial Organizations for Taxable Years Ending on or after December 31, 2008 (IITA Section 304(c))
100.3420 Apportionment of Business Income of Insurance Companies (IITA Section 304(b))
100.3450 Apportionment of Business Income of Transportation Companies (IITA Section 304(d))
100.3500 Allocation and Apportionment of Base Income by Nonresident Partners

SUBPART N: ACCOUNTING

Section

- 100.4500 Carryovers of Tax Attributes (IITA Section 405)

SUBPART O: TIME AND PLACE FOR FILING RETURNS

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Section

100.5000	Time for Filing Returns (IITA Section 505)
100.5010	Place for Filing Returns: All Taxpayers (IITA Section 505)
100.5020	Extensions of Time for Filing Returns: All Taxpayers (IITA Section 505)
100.5030	Taxpayer's Notification to the Department of Certain Federal Changes Arising in Federal Consolidated Return Years, and Arising in Certain Loss Carryback Years (IITA Section 506)
100.5040	Innocent Spouses
100.5050	Frivolous Returns
100.5060	Reportable Transactions (IITA Section 501(b))
100.5070	List of Investors in Potentially Abusive Tax Shelters and Reportable Transactions
100.5080	Registration of Tax Shelters (IITA Section 1405.5)

SUBPART P: COMPOSITE RETURNS

Section

100.5100	Composite Returns: Eligibility (IITA Section 502(f))
100.5110	Composite Returns: Responsibilities of Authorized Agent
100.5120	Composite Returns: Individual Liability
100.5130	Composite Returns: Required forms and computation of Income (IITA Section 502(f))
100.5140	Composite Returns: Estimated Payments
100.5150	Composite Returns: Tax, Penalties and Interest
100.5160	Composite Returns: Credits on Separate Returns
100.5170	Composite Returns: Definition of a "Lloyd's Plan of Operation"
100.5180	Composite Returns: Overpayments and Underpayments

SUBPART Q: COMBINED RETURNS

Section

100.5200	Filing of Combined Returns
100.5201	Definitions and Miscellaneous Provisions Relating to Combined Returns
100.5205	Election to File a Combined Return
100.5210	Procedures for Elective and Mandatory Filing of Combined Returns
100.5215	Filing of Separate Unitary Returns (IITA Section 304(e))
100.5220	Designated Agent for the Members
100.5230	Combined Estimated Tax Payments

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100.5240	Claims for Credit of Overpayments
100.5250	Liability for Combined Tax, Penalty and Interest
100.5260	Combined Amended Returns
100.5265	Common Taxable Year
100.5270	Computation of Combined Net Income and Tax
100.5280	Combined Return Issues Related to Audits

SUBPART R: PAYMENTS

Section

100.6000	Payment on Due Date of Return (IITA Section 601)
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SUBPART S: REQUIREMENT AND AMOUNT OF WITHHOLDING

Section

100.7000	Requirement of Withholding (IITA Section 701)
100.7010	Compensation Paid in this State (IITA Section 701)
100.7020	Transacting Business Within this State (IITA Section 701)
100.7030	Payments to Residents (IITA Section 701)
100.7035	Nonresident Partners, Subchapter S Corporation Shareholders, and Trust Beneficiaries (IITA Section 709.5)
100.7040	Employer Registration (IITA Section 701)
100.7050	Computation of Amount Withheld (IITA Section 702)
100.7060	Additional Withholding (IITA Section 701)
100.7070	Voluntary Withholding (IITA Section 701)
100.7080	Correction of Underwithholding or Overwithholding (IITA Section 701)
100.7090	Reciprocal Agreement (IITA Section 701)
100.7095	Cross References

SUBPART T: AMOUNT EXEMPT FROM WITHHOLDING

Section

100.7100	Withholding Exemption (IITA Section 702)
100.7110	Withholding Exemption Certificate (IITA Section 702)
100.7120	Exempt Withholding Under Reciprocal Agreements (IITA Section 702)

SUBPART U: INFORMATION STATEMENT

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Section
100.7200 Reports for Employee (IITA Section 703)

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

Section
100.7300 Returns and Payments of Income Tax Withheld from Wages (IITA Sections 704 and 704A)
100.7310 Returns Filed and Payments Made on Annual Basis (IITA 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

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Section
100.9100 Notice and Demand (IITA Section 902)

SUBPART Z: ASSESSMENT

Section
100.9200 Assessment (IITA Section 903)
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)

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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 Section 1501)

SUBPART FF: LETTER RULING PROCEDURES

Section

100.9800	Letter Ruling Procedures
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SUBPART GG: MISCELLANEOUS

Section

100.9900	Tax Shelter Voluntary Compliance Program
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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

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Ill. Reg. 19574; amended at 9 Ill. Reg. 16986, effective October 21, 1985; amended at 9 Ill. Reg. 685, effective December 31, 1985; amended at 10 Ill. Reg. 7913, effective April 28, 1986; amended at 10 Ill. Reg. 19512, effective November 3, 1986; amended at 10 Ill. Reg. 21941, effective December 15, 1986; amended at 11 Ill. Reg. 831, effective December 24, 1986; amended at 11 Ill. Reg. 2450, effective January 20, 1987; amended at 11 Ill. Reg. 12410, effective July 8, 1987; amended at 11 Ill. Reg. 17782, effective October 16, 1987; amended at 12 Ill. Reg. 4865, effective February 25, 1988; amended at 12 Ill. Reg. 6748, effective March 25, 1988; amended at 12 Ill. Reg. 11766, effective July 1, 1988; amended at 12 Ill. Reg. 14307, effective August 29, 1988; amended at 13 Ill. Reg. 8917, effective May 30, 1989; amended at 13 Ill. Reg. 10952, effective June 26, 1989; amended at 14 Ill. Reg. 4558, effective March 8, 1990; amended at 14 Ill. Reg. 6810, effective April 19, 1990; amended at 14 Ill. Reg. 10082, effective June 7, 1990; amended at 14 Ill. Reg. 16012, effective September 17, 1990; emergency amendment at 17 Ill. Reg. 473, effective December 22, 1992, for a maximum of 150 days; amended at 17 Ill. Reg. 8869, effective June 2, 1993; amended at 17 Ill. Reg. 13776, effective August 9, 1993; recodified at 17 Ill. Reg. 14189; amended at 17 Ill. Reg. 19632, effective November 1, 1993; amended at 17 Ill. Reg. 19966, effective November 9, 1993; amended at 18 Ill. Reg. 1510, effective January 13, 1994; amended at 18 Ill. Reg. 2494, effective January 28, 1994; amended at 18 Ill. Reg. 7768, effective May 4, 1994; amended at 19 Ill. Reg. 1839, effective February 6, 1995; amended at 19 Ill. Reg. 5824, effective March 31, 1995; emergency amendment at 20 Ill. Reg. 1616, effective January 9, 1996, for a maximum of 150 days; amended at 20 Ill. Reg. 6981, effective May 7, 1996; amended at 20 Ill. Reg. 10706, effective July 29, 1996; amended at 20 Ill. Reg. 13365, effective September 27, 1996; amended at 20 Ill. Reg. 14617, effective October 29, 1996; amended at 21 Ill. Reg. 958, effective January 6, 1997; emergency amendment at 21 Ill. Reg. 2969, effective February 24, 1997, for a maximum of 150 days; emergency expired July 24, 1997; amended at 22 Ill. Reg. 2234, effective January 9, 1998; amended at 22 Ill. Reg. 19033, effective October 1, 1998; amended at 22 Ill. Reg. 21623, effective December 15, 1998; amended at 23 Ill. Reg. 3808, effective March 11, 1999; amended at 24 Ill. Reg. 10593, effective July 7, 2000; amended at 24 Ill. Reg. 12068, effective July 26, 2000; emergency amendment at 24 Ill. Reg. 17585, effective November 17, 2000, for a 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

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November 17, 2003; emergency amendment at 27 Ill. Reg. 18464, effective November 20, 2003, for a maximum of 150 days; emergency expired April 17, 2004; amended at 28 Ill. Reg. 1378, effective January 12, 2004; amended at 28 Ill. Reg. 5694, effective March 17, 2004; amended at 28 Ill. Reg. 7125, effective April 29, 2004; amended at 28 Ill. Reg. 8881, effective June 11, 2004; emergency amendment at 28 Ill. Reg. 14271, effective October 18, 2004, for a maximum of 150 days; amended at 28 Ill. Reg. 14868, effective October 26, 2004; emergency amendment at 28 Ill. Reg. 15858, effective November 29, 2004, for a maximum of 150 days; amended at 29 Ill. Reg. 2420, effective January 28, 2005; amended at 29 Ill. Reg. 6986, effective April 26, 2005; amended at 29 Ill. Reg. 13211, effective August 15, 2005; amended at 29 Ill. Reg. 20516, effective December 2, 2005; amended at 30 Ill. Reg. 6389, effective March 30, 2006; amended at 30 Ill. Reg. 10473, effective May 23, 2006; amended by 30 Ill. Reg. 13890, effective August 1, 2006; amended at 30 Ill. Reg. 18739, effective November 20, 2006; amended at 31 Ill. Reg. 16240, effective November 26, 2007; amended at 32 Ill. Reg. 872, effective January 7, 2008; amended at 32 Ill. Reg. 1407, effective January 17, 2008; amended at 32 Ill. Reg. 3400, effective February 25, 2008; amended at 32 Ill. Reg. 6055, effective March 25, 2008; amended at 32 Ill. Reg. 10170, effective June 30, 2008; amended at 32 Ill. Reg. 13223, effective July 24, 2008; amended at 32 Ill. Reg. 17492, effective October 24, 2008; amended at 33 Ill. Reg. 1195, effective December 31, 2008; amended at 33 Ill. Reg. 2306, effective January 23, 2009; amended at 33 Ill. Reg. 14168, effective September 28, 2009; amended at 33 Ill. Reg. 15044, effective October 26, 2009; amended at 34 Ill. Reg. 550, effective December 22, 2009; amended at 34 Ill. Reg. 3886, effective March 12, 2010; amended at 34 Ill. Reg. 12891, effective August 19, 2010; amended at 35 Ill. Reg. 4223, effective February 25, 2011; amended at 35 Ill. Reg. 15092, effective August 24, 2011; amended at 36 Ill. Reg. 2363, effective January 25, 2012; amended at 36 Ill. Reg. 9247, effective June 5, 2012; amended at 37 Ill. Reg. 5823, effective April 19, 2013; amended at 37 Ill. Reg. 20751, effective December 13, 2013; 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 M: BUSINESS INCOME OF PERSONS OTHER THAN RESIDENTS

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Section 100.3370 Sales Factor (IITA Section 304)

- a) In general.
- 1) IITA Section 1501(a)(~~21~~)(~~22~~) defines the term "sales" to mean all gross receipts of the person not allocated under IITA Sections 301, 302 and 303. Thus, for the purposes of the sales factor of the apportionment formula for each trade or business of the person, the term "sales" means all gross receipts derived by the person from transactions and activity in the regular course of ~~his or hersueh~~ trade or business. The following are rules for determining "sales" in various situations:
- A) In the case of a person engaged in manufacturing and selling or purchasing and reselling goods or products, "sales" includes all gross receipts from the sales of ~~thosesueh~~ goods or products (or other property of a kind which would properly be included in the inventory of the person if on hand at the close of the tax period) held by the person primarily for sale to customers in the ordinary course of its trade or business. Gross receipts for this purpose means gross sales less returns and allowances, and includes all interest income, service charges, carrying charges, or time-price differential charges attendant to ~~thosesueh~~ sales. Federal and state excise taxes (including sales taxes) shall be included as part of ~~thesueh~~ receipts if ~~thesueh~~ taxes are passed on to the buyer or included as part of the selling price of the product.
- B) In the case of cost plus fixed fee contracts, such as the operation of a government-owned plant for a fee, "sales" includes the entire reimbursed cost, plus the fee.
- C) In the case of a person engaged in providing services, such as the operation of an advertising agency, or the performance of equipment service contracts, or research and development contracts, "sales" includes the gross receipts from the performance of ~~thosesueh~~ services, including fees, commissions, and similar items.

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- D) In the case of a person engaged in renting real or tangible property, "sales" includes the gross receipts from the rental, lease, or licensing of the use of the property.
- E) In the case of a person engaged in the sale, assignment, or licensing of intangible personal property such as patents and copyrights, "sales" includes the gross receipts therefrom.
- F) If a person derives receipts from the sale of equipment used in its business, ~~thosesuch~~ receipts constitute "sales". For example, a truck express company owns a fleet of trucks and sells its trucks under a regular replacement program. The gross receipts from the sales of the trucks are included in the sales factor.
- 2) The following gross receipts are not included in the sales factor:
- A) For taxable years ending on or after December 31, 1995, *dividends; amounts included under ~~26 USC 78~~Section 78 of the Internal Revenue Code; and Subpart F income* are excluded from the sales factor under IITA Section 304(a)(3)(D).
- B) Gross receipts that are excluded from or deducted in the computation of federal taxable income or federal adjusted gross income, and that are not added back in the computation of base income. For example, in years ending prior to December 31, 1995, dividends received from a domestic corporation are excluded from the sales factor to the extent the taxpayer is allowed a deduction under ~~26 USC 243~~Section 243 of the Internal Revenue Code with respect to ~~thosesuch~~ dividends.
- C) Gross receipts that are subtracted from federal taxable income or federal adjusted gross income in the computation of base income or that are eliminated in the computation of taxable income in the case of a unitary business group under Section 100.5270(b)(1)-~~of this Part~~. Examples of gross receipts excluded from the sales factor under this provision include:
- i) Interest on federal obligations subtracted under IITA

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Section 203(a)(2)(N), (b)(2)(J), (c)(2)(K) or (d)(2)(G).

- ii) For taxable years ending prior to December 31, 1995, dividends included in federal taxable income or federal adjusted gross income are excluded from the sales factor if eliminated in combination or to the extent subtracted under IITA Section 203(a)(2)(J), (a)(2)(K), (b)(2)(K), (b)(2)(L), (b)(2)(O), (c)(2)(M), (c)(2)(O), (d)(2)(K) or (d)(2)(M).
- D) Gross receipts that are excluded from or deducted in the computation of federal taxable income or federal adjusted gross income, but are added back in the computation of base income, are included in the sales factor unless subtracted or eliminated in combination. For example:
- i) Interest on state obligations excluded from federal taxable income or adjusted gross income under 26 USC 103~~Section 103 of the Internal Revenue Code~~ and added back in the computation of base income under IITA Section 203(a)(2)(A), (b)(2)(A), (c)(2)(A) or (d)(2)(A) is included in the sales factor except in the case of interest on certain Illinois obligations that is exempt from Illinois Income Tax. (See 86 Ill. Adm. Code 100.2470(f).)
 - ii) Gross receipts from intercompany transactions between two corporate members of a federal consolidated group, the taxable income on which is deferred under 26 CFR~~Treas. Reg. Section~~ 1.1502-13, will be included in the sales factor of the recipient unless subtracted under a provision of IITA Section 203 or eliminated in combination of the two corporations as members of a unitary business group.
- E) In some cases certain gross receipts should be disregarded in determining the sales factor in order that the apportionment formula will operate fairly to apportion to this State the income of the person's trade or business. (See 86 Ill. Adm. Code 100.3380~~(c)(b).~~)

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- F) For taxable years ending on or after December 31, 1999, gross receipts from the licensing, sale, or other disposition of a patent, copyright, trademark, or similar item of intangible personal property may be included in the sales factor only if gross receipts from licenses, sales, or other dispositions of these items comprise more than 50% of the taxpayer's total gross receipts included in gross income during the tax year and during each of the 2 immediately preceding tax years; provided that, when a taxpayer is a member of a unitary business group, the determination shall be made on the basis of the gross receipts of the entire unitary business group. (IITA Section 304(a)(3)(B-2) For purposes of this Section:
- i) "Gross receipts from the licensing, sale, or other disposition of a patent, copyright, trademark, or similar item of intangible personal property" include amounts received as damages or settlements from claims of infringement.
- ii) "Gross receipts from the licensing, sale, or other disposition of a patent" include only amounts received from a person using the patent in the production, fabrication, manufacturing, or other processing of a product or from a person producing, fabricating or manufacturing a product subject to the patent.
- iii) "Gross receipts from the licensing, sale, or other disposition of a copyright" include only amounts received by the taxpayer from a person engaged in printing or other publication of the material protected by the copyright, which are governed by Section 100.3373. The term does not include gross receipts from broadcasting within the meaning of IITA Section 304(a)(3)(B-7) or from publishing or advertising within the meaning of IITA Section 304(a)(3)(C-5)(iv).
- iv) If a taxpayer has been in existence less than three taxable years, its gross receipts from the licensing, sale, or other disposition of patents, copyrights, trademarks or similar

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items of intangible personal property will be included in its sales factor if those gross receipts comprise more than 50% of its total gross receipts during each taxable year of its existence.

- v) "Patent" means a patent issued under 35 USC 151.
 - vi) "Copyright" means a copyright registered or eligible for registration under 17 USC 408.
 - vii) "Trademark" means a trademark registered or eligible for registration under 15 USC 1051.
 - viii) A "similar item" means an item of intellectual property that is registered or otherwise enforceable under a law equivalent to 35 USC 151, 17 USC 408 or 15 USC 1051 or that is otherwise recognized in the country under whose law the sale or license agreement would be enforced, or under which an infringement claim would be brought.
- 3) In filing returns with this State, if the person departs from or modifies the basis for excluding or including gross receipts in the sales factor used in returns for prior years, the person shall disclose in the return for the current year the nature and extent of the modification. If the returns or reports filed by the person with all states to which the person reports under Article IV of the Multistate Tax Compact or the Uniform Division of Income for Tax Purposes Act are not uniform in the inclusion or exclusion of gross receipts, the person shall disclose in its return to this State the nature and extent of the variance.
- 4) For taxable years ending prior to December 31, 2008, sales of electricity are sales other than sales of tangible personal property sourced under IITA Section 304(a)(3)(C). For taxable years ending on or after December 31, 2008, and prior to July 16, 2009, sales of electricity are sales of service sourced under IITA Section 304(a)(3)(C-5)(iv). For taxable years ending after July 15, 2009, sales of electricity are sales of tangible personal property sourced under IITA Section 304(a)(3)(B). (See Exelon Corp. v. Department of Revenue, 234 Ill 2d 266 (2009).)

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- b) Denominator. The denominator of the sales factor shall include the total gross receipts derived by the person from transactions and activity in the regular course of its trade or business, except receipts excluded under 86 Ill. Adm. Code 100.3380~~(c)(b)~~.
- c) Numerator. The numerator of the sales factor shall include the gross receipts attributable to this State and derived by the person from transactions and activity in the regular course of its trade or business. All interest income, service charges, carrying charges, or time-price differential charges incidental to ~~those such~~ gross receipts shall be included regardless of the place where the accounting records are maintained or the location of the contract or other evidence of indebtedness.
- 1) Sales of Tangible Personal Property~~tangible personal property~~ in this State:
- A) Gross receipts from the sales of tangible personal property (except sales to the United States Government) (see subsection (c)(2)~~86 Ill. Adm. Code 100.3370(e)(2)~~) are in this State:
- i) if the property is delivered or shipped to a purchaser within this State regardless of the f.o.b. (free on board) point or other conditions of sale; or
- ii) if the property is shipped from an office, store, warehouse, factory or other place of storage in this State and the taxpayer is not taxable in the state of the purchaser. However, premises owned or leased by a person who has independently contracted with the taxpayer for the printing of newspapers, periodicals or books shall not be deemed to be an office, store, warehouse, factory or other place of storage.
- B) Property shall be deemed to be delivered or shipped to a purchaser within this State if the recipient is located in this State, even though the property is ordered from outside this State.

EXAMPLE~~Example~~: A corporation, with inventory in State A,

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sold \$100,000 of its products to a purchaser having branch stores in several states including this State. The order for the purchase was placed by the purchaser's central purchasing department located in State B. \$25,000 of the purchase order was shipped directly to purchaser's branch store in this State. The branch store in this State is the "purchaser within this State" with respect to \$25,000 of the corporation's sales.

- C) Property is delivered or shipped to a purchaser within this State if the shipment terminates in this State, even though the property is subsequently transferred by the purchaser to another state.

EXAMPLE~~Example~~: A corporation makes a sale to a purchaser who maintains a central warehouse in this State at which all merchandise purchases are received. The purchaser reships the goods to its branch stores in other states for sale. All of the corporation's products shipped to the purchaser's warehouse in this State is property "delivered or shipped to a purchaser within this State".

- D) The term "purchaser within this State" shall include the ultimate recipient of the property if the person in this State, at the designation of the purchaser, delivers to or has the property shipped to the ultimate recipient within this State.

EXAMPLE~~Example~~: A corporation in this State sold merchandise to a purchaser in State A. The corporation directed the manufacturer or supplier of the merchandise in State B to ship the merchandise to the purchaser's customer in this State pursuant to purchaser's instructions. The sale by the corporation is "in this State".

- E) When property being shipped by a seller from the state of origin to a consignee in another state is diverted while en route to a purchaser in this State, the sales are in this State.

EXAMPLE~~Example~~: Corporation X, a produce grower in State A, begins shipment of perishable produce to the purchaser's place of

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business in State B. While en route the produce is diverted to the purchaser's place of business in this State in which state Corporation X is subject to tax. The sale by the corporation is attributed to this State.

- F) If the person is not taxable in the state of the purchaser, the sale is attributed to this State if the property is shipped from an office, store, warehouse, factory, or other place of storage in this State (subject to the exception noted in (c)(1)(A)(ii) ~~above~~).

~~EXAMPLE~~Example: A corporation has its head office and factory in State A. It maintains a branch office and inventory in this State. The corporation's only activity in State B is the solicitation of orders by a resident salesman. All orders by the State B salesman are sent to the branch office in this State for approval and are filled by shipment from the inventory in this State. Since the corporation is immune under Public Law 86-272 from tax in State B, all sales of merchandise to purchasers in State B are attributed to this State, the state from which the merchandise was shipped.

- 2) Sales of tangible personal property to the United States Government in this State. Gross receipts from the sales of tangible personal property to the United States Government are in this State if the property is shipped from an office, store, warehouse, factory, or other place of storage in this State. For the purposes of this regulation, only sales for which the United States Government makes direct payment to the seller pursuant to the terms of the contract constitute sales to the United States Government. Thus, as a general rule, sales by a subcontractor to the prime contractor, the party to the contract with the United States Government, do not constitute sales to the United States Government.
- A) ~~EXAMPLE~~Example A: A corporation contracts with General Services Administration to deliver X number of trucks which were paid for by the United States Government. The sale is a sale to the United States Government.
- B) ~~EXAMPLE~~Example B: A corporation as a subcontractor to a prime contractor with the National Aeronautics and Space

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Administration contracts to build a component of a rocket for \$1,000,000. The sale by the subcontractor to the prime contractor is not a sale to the United States Government.

- 3) For taxable years ending on or after December 31, 1999, gross receipts from the licensing, sale, or other disposition of a patent, copyright, trademark, or similar item of intangible personal property that are not excluded from the sales factor under subsection (a)(2)(F) are included in the numerator of the sales factor to the extent the item is utilized in this State during the year the gross receipts are included in gross income. (IITA Section 304(a)(3)(B-1)) For purposes of this subsection (c)(3):
- A) A patent is utilized in a state to the extent that it is employed in production, fabrication, manufacturing, or other processing in the state or to the extent that a patented product is produced in the state. If a patent is utilized in more than one state, the extent to which it is utilized in any one state shall be a fraction equal to the gross receipts of the licensee or purchaser from sales or leases of items produced, fabricated, manufactured, or processed within that state using the patent and of patented items produced within that state, divided by the total of the gross receipts for all states in which the patent is utilized. (IITA Section 304(a)(3)(B-1)(ii)(I))
- B) A copyright is utilized in a state to the extent that printing or other publication originates in the state. Printing or other publication originates at the place at which the licensee of the copyright incorporates the copyrighted material into the physical medium by which it will be delivered to the purchaser of the material or, if the copyrighted material is delivered to the purchaser without use of a physical medium, the place at which delivery of the copyrighted material to the person purchasing the material from the licensee originates. If a copyright is utilized in more than one state, the extent to which it is utilized in any one state shall be a fraction equal to the gross receipts from sales or licenses of materials printed or published in that state divided by the total of the gross receipts for all states in which the copyright is utilized. (IITA Section 304(a)(3)(B-1)(ii)(II))

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- C) *Trademarks and other items of intangible personal property governed by this subsection (c)(3) are utilized in the state in which the commercial domicile of the licensee or purchaser is located. (IITA Section 304(a)(3)(B-1)(ii)(III))*
- D) *If the place of utilization of an item of property under subsection (c)(3)(A), (B) or (C) cannot be determined from the taxpayer's books and records or from the books and records of any person related to the taxpayer within the meaning of 26 USC 267(b), the gross receipts attributable to that item shall be excluded from both the numerator and the denominator of the sales factor. (IITA Section 304(a)(3)(B-1)(iii))*
- 4) *For taxable years ending on or after December 31, 2013, gross receipts from winnings under the Illinois Lottery Law [20 ILCS 1605] and from the assignment of a prize under Section 13-1 of the Illinois Lottery Law are received in this State. (IITA Section 304(a)(3)(B-8))*
- 5) *For taxable years ending prior to December 31, 2008, Sales other than sales of tangible personal property in this State. The sales factor includes gross receipts from transactions other than sales of tangible personal property (including transactions with the United States Government); gross receipts from transactions not governed by the provisions of subsection (c)(3)(1), (2), (3) or (4) and, for taxable years ending on or after December 31, 2008, from transactions involving intangible personal property when the taxpayer is not a dealer with respect to the intangible personal property, are attributed to this State if the income producing activity ~~that which~~ gave rise to the receipts is performed wholly within this State. Also, gross receipts are attributed to this State if, with respect to a particular item of income, the income producing activity is performed in this State, based on costs of performance.*
- A) *Income Producing Activity Defined~~producing activity defined~~. The term "income producing activity" applies to each separate item of income and means the transactions and activity directly engaged in by the person in the regular course of its trade or business for the ultimate purpose of obtaining gains or profit. Income producing~~Such~~ activity does not include transactions and activities*

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performed on behalf of a person, such as those conducted on its behalf by an independent contractor. The mere holding of intangible personal property is not, of itself, an income producing activity. Accordingly, the income producing activity includes but is not limited to the following:

- i) The rendering of personal services by employees or the utilization of tangible and intangible property by the person in performing a service.
 - ii) The sale, rental, leasing, licensing or other use of real property.
 - iii) The rental, leasing, licensing or other use of tangible personal property.
 - iv) The sale, licensing or other use of intangible personal property.
- B) Costs of Performance Defined~~performance defined~~. The term "costs of performance" means direct costs determined in a manner consistent with generally accepted accounting principles and in accordance with accepted conditions or practices in the trade or business of the person.
- C) Application. Receipts sourced under this subsection (c)(5)~~(other than from sales of tangible personal property)~~ in respect to a particular income producing activity are in this State if:
- i) the income producing activity is performed wholly within this State; or
 - ii) the income producing activity is performed both in and outside this State and a greater proportion of the income producing activity is performed in this State than without this State, based on costs of performance, a greater proportion of the income producing activity is performed in this State than without this State (for taxable years ending

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prior to December 31, 2008) or a greater proportion of the income-producing activity of the taxpayer is performed within this State than in any other state (for taxable years ending on or after December 31, 2008).

- D) Special Rules. The following are special rules for determining when receipts from the income producing activities described below are in this State.
- i) Gross receipts from the sale, lease, rental or licensing of real property are in this State if the real property is located in this State.
 - ii) Gross receipts from the rental, lease, or licensing of tangible personal property are in this State if the property is located in this State. The principal cost of performance in a rental, leasing or licensing transaction is the depreciation or amortization of the tangible personal property, and the depreciation or amortization expense is incurred in the state in which the tangible personal property is located. The rental, lease, licensing or other use of tangible personal property in this State is a separate income producing activity from the rental, lease, licensing or other use of the same property while located in another state; consequently, if property is within and without this State during the rental, lease or licensing period, gross receipts attributable to this State shall be measured by the ratio which the time the property was physically present or was used in this State bears to the total time or use of the property everywhere during ~~that~~ such period.

EXAMPLEExample: Corporation X is the owner of 10 railroad cars. During the year, the total of the days each railroad car was present in this State was 50 days. The receipts attributable to the use of each of the railroad cars in this State are a separate item of income. Total receipts attributable to this State shall be determined as follows:

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(10 x 50)/3650 x Total Receipts

- iii) Gross receipts for the performance of personal services are attributable to this State to the extent ~~those~~ such services are performed partly within and partly without this State, the gross receipts for the performance of ~~those~~ such services shall be attributable to this State only if a greater portion of the services were performed in this State, based on costs of performance. Where services are performed partly within and partly without this State and the services performed in each state constitute a separate income producing activity, the gross receipts for the performance of services attributable to this State shall be measured by the ratio ~~that~~ which the time spent in performing ~~the~~ such services in this State bears to the total time spent in performing ~~the~~ such services everywhere. Time spent in performing services includes the amount of time expended in the performance of a contract or other obligation ~~that~~ which gives rise to ~~the~~ such gross receipts. Personal service not directly connected with the performance of the contract or other obligation, as for example, time expended in negotiating the contract, is excluded from the computations.

EXAMPLE 1~~Example~~: Corporation X, a road show, gave theatrical performances at various locations in State X and in this State during the tax period. All gross receipts from performances given in this State are attributed to this State.

EXAMPLE 2~~Example~~: A public opinion survey corporation conducted a poll by its employees in State X and in this State for the sum of \$9,000. The project required 600 man hours to obtain the basic data and prepare the survey report. Two hundred of the 600 man hours were expended in this State. The receipts attributable to this State are \$3,000, calculated as follows:

$$200/600 \times \$9,000$$

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- 6) For taxable years ending on or after December 31, 2008, gross receipts from transactions not governed by the provisions of subsection (c)(1), (2), (3) or (4) are in this State if any of the following criteria are met:
- A) Sales from the sale or lease of real property are in this State if the property is located in this State. (IITA Section 304(a)(3)(C-5)(i))
- B) Sales from the lease or rental of tangible personal property are in this State if the property is located in this State during the rental period. Sales from the lease or rental of tangible personal property that is characteristically moving property, including, but not limited to, motor vehicles, rolling stock, aircraft, vessels, or mobile equipment, are in this State to the extent that the property is used in this State. (IITA Section 304(a)(3)(C-5)(ii))
- C) In the case of interest, net gains (but not less than zero) and other items of income from intangible personal property, the sale is in this State if:
- i) in the case of a taxpayer who:
- is a dealer in the item of intangible personal property within the meaning of 26 USC 475, the income or gain is received from a customer in this State. A taxpayer is a dealer with respect to an item of intangible personal property if the taxpayer is a dealer with respect to the item under 26 USC 475(c)(1), or would be a dealer with respect to the item under 26 USC 475(c)(1) if the item were a security as defined under 26 USC 475(c)(2). For purposes of this subsection (c)(6)(C)(i), a customer is in this State if the customer is an individual, trust or estate who is a resident of this State and, for all other customers, if the customer's commercial domicile is in this State. Unless the dealer has actual knowledge of the residence or commercial domicile of a customer during a taxable year, the

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customer shall be deemed to be a customer in this State if the billing address of the customer, as shown in the records of the dealer, is in this State. A dealer shall treat the person with whom it engages in a transaction as the customer, even when that person is acting on behalf of a third party, unless the dealer has actual knowledge of the party on whose behalf the person is acting. If a taxpayer is a dealer with respect to an item of intangible personal property and recognizes gain or loss with respect to that item other than in connection with a transaction with a customer (for example, unrealized gain or loss from marking the item to market under 26 USC 475), that gain or loss shall be excluded from the numerator and denominator of the sales factor; or

- is not a dealer with respect to the item of intangible personal property, if the income-producing activity of the taxpayer is performed in this State or, if the income-producing activity of the taxpayer is performed both within and without this State, if a greater proportion of the income-producing activity of the taxpayer is performed within this State than in any other state, based on performance costs. (IITA Section 304(a)(3)(C-5)(iii)) (See subsection (c)(5) of this Section.)

- ii) For purposes of this subsection (c)(6)(C), an item of "intangible personal property" includes only an item that can ordinarily be resold or otherwise reconveyed by the person acquiring the item from the taxpayer, and does not include any obligation of the taxpayer to make any payment, perform any act, or otherwise provide anything of value to another person.

EXAMPLE 1. A ticket to attend a sporting event would not be an item of intangible personal property for the owner of

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the stadium who issues the ticket and is obliged to grant admission to the holder of the ticket. Rather, the sale of the ticket is a prepayment for a service to be provided. However, the ticket would be an item of intangible personal property in the hands of the original purchaser or any subsequent purchaser of the ticket, and a ticket broker engaged in the business of buying and reselling tickets would be a dealer with respect to the ticket.

EXAMPLE 2. A taxpayer selling canned computer software is selling intangible personal property. (First National Bank of Springfield v. Dept. of Revenue, 85 Ill.2d 84 (1981)) If the taxpayer sells software to customers in the ordinary course of its business, it is a dealer with respect to those sales. In contrast, a taxpayer providing programming or maintenance services to its customers is selling services rather than intangible personal property.

EXAMPLE 3. A taxpayer administers a "rewards program" for a group of unrelated businesses. Under the program, a customer of one business can earn discounts or rebates on products and services provided by any of the businesses. As each customer earns rewards, measured in "units", from one of the businesses, that business pays a specified amount per unit to the taxpayer. When a customer uses units earned in the program to purchase products or services at a discount from a participating business, the taxpayer pays that business a specified amount per unit used by the customer. Rebates may be paid to the customer directly by the taxpayer or by one of the businesses, which is then reimbursed by the taxpayer. To the extent payments made to the taxpayer by businesses awarding units exceed the payments the taxpayer must make for discounts and rebates, the excess is payment for operating the program. The units awarded are obligations of the taxpayer to make payments to the business providing products or services at a discount or to pay rebates. Accordingly, payments received by taxpayer from the participating businesses for

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units awarded are not income from sales of intangible personal property by the taxpayer.

D) Sales of services are in this State if the services are received in this State. (IITA Section 304(a)(3)(C-5)(iv))

i) General Rule. Gross receipts from services are assigned to the numerator of the sales factor to the extent that the receipts may be attributed to services received in Illinois.

ii) A contract that involves the provision of a service by the taxpayer and the use of property of the taxpayer by the service recipient shall be treated as a sale of service unless the contract is properly treated as a lease of property under 26 USC 7701(e)(1), taking into account all relevant factors, including whether:

- the service recipient is in physical possession of the property;
- the service recipient controls the property;
- the service recipient has a significant economic or possessory interest in the property;
- the service provider does not bear any risk of substantially diminished receipts or substantially increased expenditures if there is nonperformance under the contract;
- the service provider does not use the property concurrently to provide significant services to entities unrelated to the service recipient; and
- the total contract price does not substantially exceed the rental value of the property for the contract period.

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EXAMPLE: A taxpayer selling access to an online database or applications software, and who is required to perform regular update services to the database or software, retains control over the contents of the database or software, and provides access to the same database or software to multiple customers is not selling or licensing an item of intangible personal property to its customers, but rather is providing a service.

iii) Services received in this State include, but are not limited to:

- When the subject matter of the service is an item of tangible personal property, the service is received in this State if possession of the property is restored to the recipient of the service under the principles in subsection (c)(1) for determining whether a sale of that property is in this State.

EXAMPLE 1. A customer returns a computer to the manufacturer for repair. The manufacturer performs the repairs in Indiana and ships the computer to the customer's Illinois address. The service is received in this State.

EXAMPLE 2. Individual purchases clothing from Merchant at a store in this State, using a credit card issued by Bank A pursuant to a licensing agreement with Credit Card Company. Bank A remits the purchase price to Credit Card Company, which deposits the purchase price with Merchant's bank, minus a fee or discount. All fees and discounts earned by Credit Card Company in connection with this purchase are for services received in this State.

- When the subject matter of the service is an item of real property, the service is received in the state in which the real property is located.

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EXAMPLE 3. Individual purchases a parcel of land in Illinois and constructs a house on the parcel. Services performed at an architect's office in Wisconsin regarding the design and construction of the house are received in this State.

- When the service is performed on or with respect to the person of an individual (for example, medical treatment services), the service is received in the state in which the individual is located at the time the service is performed.
- Services performed by a taxpayer that are directly connected to or in support of services received in this State are also services received in this State.

EXAMPLE 4. Individual purchases automobile repair services from Automobile Dealership at its facility located in this State, using a credit card issued by Bank A pursuant to a licensing agreement with Credit Card Company. Bank A remits the purchase price to Credit Card Company, which deposits the purchase price with Automobile Dealership's bank, minus a fee or discount. All fees and discounts earned by Credit Card Company in connection with this purchase are for services received in this State.

EXAMPLE 5. Services performed by an investment fund on behalf of an investor are received in this State if the investor resides in this State (in the case of an individual) or has its ordering or billing address in this State (for other investors). In the case of services provided by Taxpayer to or on behalf of the investment fund that are directly connected with services provided separately to the investors, such as preparation of communications and statements to

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investors, and allocations of earnings and distributions to investors, the service is also received in this State to the extent the investors reside (or have their ordering or billing address) in this State. Accordingly, receipts of Taxpayer for these services are allocated to this State on the basis of the ratio of: the average of the outstanding shares in the fund owned by shareholders, partners or other investors residing (or having their ordering or billing address) within this State at the beginning and end of each taxable year of the taxpayer; and the average of the total number of outstanding shares in the fund at the beginning and end of each year. Residence or ordering or billing address of the shareholder, partner or other investor is determined by the mailing address in the records of the investment fund or the taxpayer. Services provided to an investment fund that are not directly connected to or in support of services provided separately to investors, such as brokerage services or investment advising, are not received by the customer at the location of its investors.

iv) Special Rules

- Under IITA Section 304(a)(3)(C-5)(iv), if the state where the services are received is not readily determinable, the services shall be deemed to be received at the location of the office of the customer from which the services were ordered in the regular course of the customer's trade or business, or, if the ordering office cannot be determined, at the office of the customer to which the services are billed. If the service is provided to an individual who provides a residential address as the place from which the services are ordered or to which the services are billed, rather than an office address, the residential address shall be used. For purposes of

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this provision, the state where services are received is not readily determinable if the facts necessary to make the determination are not contained in the books and records of the taxpayer or any person related to the taxpayer within the meaning of 26 USC 267(b) or if the available facts would allow reasonable persons to reach different determinations of the state in which the services were received.

- Under IITA Section 304(a)(3)(C-5)(iv), if the services are provided to a corporation, partnership, or trust and the services are received in a state in which the corporation, partnership, or trust does not maintain a fixed place of business (as defined in Section 100.3405(b)(1)), the services shall be deemed to be received at the location of the office of the customer from which the services were ordered in the regular course of the customer's trade or business, or, if the ordering office cannot be determined, at the office of the customer to which the services are billed. For purposes of this provision, in the case of services performed by the taxpayer as a subcontractor or as an agent acting on behalf of a principal, if either the contractor or principal has a fixed place of business in the state in which the services are received or the customer of the contractor or principal either is an individual or has a fixed place of business in the state in which the services are received, the service will be treated as received in a state in which the customer of the taxpayer has a fixed place of business.

- Under IITA Section 304(a)(3)(C-5)(iv), if the taxpayer is not taxable in the state in which the services are received or deemed to be received, the gross receipts attributed to those services must be excluded from both the numerator and denominator of the sales factor. (See Section 100.3200 for

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[guidance on determining when a taxpayer is taxable
in another state.](#)

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

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF ADOPTED AMENDMENTS

- 1) Heading of the Part: Eligible State Bank and Savings Bank
- 2) Code Citation: 38 Ill. Adm. Code 380
- 3)

<u>Section Numbers</u> :	<u>Adopted Actions</u> :
380.10	Amendment
380.20	Amendment
- 4) Statutory Authority: Implementing Section 48(2) and authorized by Section 48(6) of the Illinois Banking Act [205 ILCS 5/48(2) and 48(6)] and Sections 9002 & 9004 of the Savings Bank Act [205 ILCS 205/9002 & 9004]
- 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 rulemaking, including any material incorporated by reference, is on file in the principal office of the Division of Banking and is available for public inspection.
- 9) Notice of Proposal published in the *Illinois Register*: 40 Ill. Reg. 13106; September 16, 2016
- 10) Has JCAR issued a Statement of Objections to this Rulemaking? No
- 11) Difference between Proposal and Final Version: None
- 12) Have all changes agreed upon by the Agency and JCAR been made as indicated in the agreements issued by JCAR? No agreements were reached, so there were no changes.
- 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: The Department has now adopted our amendments governing when state banks are eligible to participate in the alternate

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examination program to align them with the policies of the Federal Deposit Insurance Corporation. This alignment will promote consistency and reduce regulatory burden.

16) Information and questions regarding these adopted rules shall be directed to:

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

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

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

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF ADOPTED AMENDMENTS

TITLE 38: FINANCIAL INSTITUTIONS

CHAPTER II: DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION
OFFICE OF BANKS AND REAL ESTATE

PART 380

ELIGIBLE STATE BANK AND SAVINGS BANK

Section

380.10	Purpose
380.20	Definitions
380.30	General Rule (Repealed)

AUTHORITY: Implementing Section 48(2) and authorized by Section 48(6) of the Illinois Banking Act [205 ILCS 5/48(2) and 48(6)] and Sections 9002 and 9004 of the Savings Bank Act [205 ILCS 205/9002 and 9004].

SOURCE: Adopted at 18 Ill. Reg. 4630, effective March 14, 1994; recodified from Chapter II, Commissioner of Banks and Trust Companies, to Chapter II, Office of Banks and Real Estate, pursuant to PA 89-508, at 20 Ill. Reg. 12645; amended at 21 Ill. Reg. 8380, effective June 24, 1997; amended at 40 Ill. Reg. 16747, effective January 1, 2017.

Section 380.10 Purpose

The applicable Act, as defined in Section 380.20, Section 48(2)(a) of the Illinois Banking Act [205 ILCS 5/48(2)(a)] requires the Secretary Commissioner to examine, at least once within each time period specified in the applicable Act, the affairs of every state bank, as defined in Section 380.20, except that an examination conducted by an eligible state bank's appropriate federal banking agency may suffice as a substitute for the Secretary's Commissioner's own examination during alternating time periods, provided the appropriate federal banking agency has made such an examination. The purpose of Section 380.20 this Part is to define "eligible state bank" in a manner that enables identification of those state banks for which an examination conducted by the appropriate federal banking agency may be acceptable in lieu of the Secretary's Commissioner's own examination on an alternating basis.

(Source: Amended at 40 Ill. Reg. 16747, effective January 1, 2017)

Section 380.20 Definitions

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"Applicable Act" means Section 48(2)(a) of the Illinois Banking Act (IBA) [205 ILCS 5] in the case of state banks chartered under the IBA, and also means Section 9004 of the Savings Bank Act (SBA) [205 ILCS 205] in the case of a savings bank chartered under the SBA.

"Appropriate federal banking agency" means the Federal Deposit Insurance Corporation, the Federal Reserve Bank of Chicago or the Federal Reserve Bank of St. Louis, as determined by federal law (12 ~~USCU.S.C.~~ 1813(q)).

"CAMELS Rating" means the rating assigned to a state bank by the ~~Secretary~~Commissioner or by the state bank's appropriate federal banking agency, based on a composite evaluation of the following six individual performance components: Capital Adequacy, Asset Quality, Management, Earnings, Liquidity and Sensitivity to Market Risk. The composite CAMELS Rating, and the rating assigned to each individual performance component, will be assigned a number from a range of 1 through 5, with 1 being the highest possible rating and 5 being the lowest possible rating.

~~"Commissioner" means the Illinois Commissioner of Banks and Real Estate or a person authorized by the Commissioner to act in the Commissioner's stead.~~

"Eligible state bank" means an Illinois state bank that, at its last ~~regular~~ examination, was assigned a composite CAMELS Rating of 1 or 2, or stable and improving composite 3-rated institutions if the composite rating is confirmed by an offsite review in which no adverse trends are noted from other available information;~~a CAMELS Rating of 2, with no more than one individual performance component rated 3; provided, however, that the management performance component must be rated 1 or 2, and no individual performance component may be rated 4 or 5;~~ except that, unless otherwise determined by the ~~Secretary~~Commissioner, the following shall not be an eligible state bank:

A newly chartered state bank, for the first three years after receiving its charter;

A state bank that results from the merger of a state bank with a financial institution other than a state bank, for the first examination period after the~~sueh~~ merger;

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A state bank that results from the merger of a state bank with another state bank ~~that~~^{which} was assigned a CAMELS Rating of 3, 4 or 5 at its last regular examination, for the first examination period after ~~the~~^{such} merger;

A state bank that results from the conversion of a financial institution other than a state bank, for the first examination period after the conversion;

A state bank that has undergone a change of control pursuant to ~~the applicable Act that~~^{Section 18 of the Illinois Banking Act which} results in new ownership or control of more than 50% of the outstanding voting stock of the state bank, for the first examination period after the change of control;

A state bank whose management or board of directors has requested an examination by the ~~Secretary~~^{Commissioner};

A state bank, ~~that,~~ in the opinion of the ~~Secretary~~^{Commissioner}, is:

operating in an unsafe manner;

operating in an unsound condition;

conducting its business in violation of applicable laws, rules or regulations; or

conducting its business in a fraudulent manner;

A state bank concerning which the appropriate federal banking agency has communicated to the ~~Secretary~~^{Commissioner} that ~~the~~^{such} federal banking agency will not alternate in conducting examinations of the particular bank or class of banks; and

A state bank that is subject to an administrative order or other regulatory or enforcement action issued by the ~~Secretary~~^{Commissioner} or the appropriate federal banking agency.

"Examination period" means the time frame within which the

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~~Secretary~~~~Commissioner~~ must conduct a regular examination of each state bank pursuant to the applicable Act~~Section 48(2) of the Illinois Banking Act~~.

"Regular examination" means a full scope, on-site examination of a state bank conducted by the ~~Secretary~~~~Commissioner~~ or by the state bank's appropriate federal banking agency within each examination period.

"Secretary" means the Secretary of the Department of Financial and Professional Regulation.

"State bank" means, for purposes of this Part only, a state bank chartered under the Illinois Banking Act or a savings bank chartered under the Savings Bank Act, as the case may be.

(Source: Amended at 40 Ill. Reg. 16747, effective January 1, 2017)

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- 1) Heading of the Part: Compassionate Use of Medical Cannabis Patient Registry
- 2) Code Citation: 77 Ill. Adm. Code 946
- 3)

<u>Section Numbers</u> :	<u>Adopted Actions</u> :
946.10	Amendment
946.25	New Section
946.30	Amendment
946.35	New Section
946.60	Amendment
946.200	Amendment
946.201	Amendment
946.205	Amendment
946.210	Amendment
946.220	Amendment
946.240	Amendment
946.290	Amendment
946.300	Amendment
946.310	Amendment
946.315	New Section
946.500	Amendment
- 4) Statutory Authority: Compassionate Use of Medical Cannabis Pilot Program Act [410 ILCS 130]
- 5) Effective Date of Rules: December 15, 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 Proposed published in the *Illinois Register*: 40 Ill. Reg. 10751; August 12, 2016
- 10) Has JCAR issued a State of Objection to this rulemaking? No

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- 11) Differences between Proposal and Final Version: The following changes were made a result of comments received during the first notice or public comment period:

In Section 946.205, deleted reference to the physician written certification.

In Section 946.315, specified waiver recommendations for increasing the adequate supply of medical cannabis does not constitute a prescription for medical cannabis.

In Section 946.10, revised the definition of "reasonable amount" in Section 946.10 to ensure correct a contradiction identified in the definition which was included in the first notice

The following changes were made in response to comments and suggestions of JCAR:

In Section 946.210 (a),(b) and (c), the fee structure was revised to accommodate a one-, two-, and three-year registry card

Section 946.290 was clarified to address the renewal process for the registry identification fee structure.

In Section 946.290 (2), the ability to extend a registry identification for one- or two-years to accommodate the total three-year period for which a patient application is valid was specified in Section 946.290(d)

At Second Notice, various non-substantive typographical, grammatical, and form changes were made in response to the 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? Yes
- 13) Will this rulemaking replace an emergency rulemaking currently in effect? Yes
- 14) Are there any rulemakings pending on this Part? No
- 15) Summary and Purpose of Rulemaking: This rulemaking implements PA 99-519 (effective June 30, 2016) to set forth the requirements for qualifying patients to participate in the Department's Compassionate Use of Medical Cannabis Patient Registry Program. The amendments provide for additional debilitating conditions; add an eligibility category for persons diagnosed with a terminal illness; make changes in the physician written certification; change fees to correspond with the lengthened time frame

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for a valid registry identification card; add requirements for increasing the adequate supply of medical cannabis and make other non-substantive changes.

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

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

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TITLE 77: PUBLIC HEALTH
CHAPTER I: DEPARTMENT OF PUBLIC HEALTH
SUBCHAPTER u: MISCELLANEOUS PROGRAMS AND SERVICESPART 946
COMPASSIONATE USE OF MEDICAL CANNABIS PATIENT REGISTRY

SUBPART A: GENERAL PROVISIONS

Section

946.10	Definitions
946.15	Referenced Materials
946.20	Debilitating Medical Conditions
946.25	Terminal Illness
946.30	Addition of Debilitating Medical Conditions
946.35	Medical Cannabis Advisory Committee
946.40	Limitations and Penalties
946.50	Notifications to the Department
946.60	Confidentiality
946.70	Applicability to the Smoke Free Illinois Act

SUBPART B: QUALIFYING PATIENTS AND DESIGNATED CAREGIVERS

Section

946.200	Application for Registry Identification Card for Qualifying Patients and Designated Caregivers
946.201	Application for Registry Identification Card for Qualifying Patients under 18 Years of Age
946.205	Deadlines for Submission of Application for Registry Identification Card
946.210	Fees
946.220	Fingerprint-Based Criminal History Records Check
946.230	General Provisions
946.240	Persons Receiving Medical Care at U.S. Department of Veterans Affairs Facilities
946.250	Disposal of Medical Cannabis by Qualifying Patients
946.260	Responsibilities of Designated Caregivers
946.270	Revocation of a Registry Identification Card
946.275	Suspension of a Registry Identification Card

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- 946.280 Medical Cannabis Obtained from a Medical Cannabis Dispensing Organization
946.290 Renewal of Registry Identification Cards

SUBPART C: PHYSICIAN REQUIREMENTS

- Section
946.300 Qualifications of the Certifying Physician
946.310 Physician Written Certification
[946.315 Waiver for Increasing the Adequate Supply of Medical Cannabis](#)
946.320 Records Maintained by the Physician and Department

SUBPART D: CANNABIS-INFUSED PRODUCTS

- Section
946.400 Manufacture of Cannabis-Infused Products
946.410 Sale and Distribution of Cannabis-Infused Products
946.420 Preparation
946.430 Health Hazards

SUBPART E: ENFORCEMENT

- Section
946.500 Circuit Court Review

AUTHORITY: Implementing and authorized by the Compassionate Use of Medical Cannabis Pilot Program Act [410 ILCS 130].

SOURCE: Adopted at 38 Ill. Reg. 17367, effective July 29, 2014; emergency amendment at 39 Ill. Reg. 444, effective December 22, 2014, for a maximum of 150 days; amended at 39 Ill. Reg. 7712, effective May 15, 2015; emergency amendment at 40 Ill. Reg. 10992, effective August 1, 2016, for a maximum of 150 days; emergency amendment to emergency rule at 40 Ill. Reg. 13732, effective September 16, 2016, for the remainder of the 150 days; amended at 40 Ill. Reg. 16753, effective December 15, 2016.

SUBPART A: GENERAL PROVISIONS

Section 946.10 Definitions

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"Act" means the Compassionate Use of Medical Cannabis Pilot Program Act [410 ILCS 130].

"Adequate supply" means 2.5 ounces of usable cannabis during a period of 14 days and that is derived solely from an intrastate source. (Section 10(a)(1) of the Act)

"Administer" or "Administration" means the direct introduction of medical cannabis into the body of a person, whether by inhalation, ingestion, or any other means.

"Bona-fide physician-patient relationship" means a relationship in which the physician has ongoing responsibility for the assessment, care and treatment of a patient's debilitating medical condition, or a symptom of the patient's debilitating medical condition, ~~for which the physician has certified to the Department that the qualifying patient would receive therapeutic or palliative benefit from the medical use of cannabis.~~

"Cannabis" means *marihuana, hashish and other substances which are identified as including any parts of the plant Cannabis sativa and including any and all derivatives or subspecies, such as Indica, of all strains of cannabis, whether growing or not; the seeds thereof, the resin extracted from any part of such plant; and any compound, manufacture, salt, derivative, mixture, or preparation of such plant, its seeds, or resin, including tetrahydrocannabinol (THC) and all other cannabinol derivatives, including its naturally occurring or synthetically produced ingredients, whether produced directly or indirectly by extraction, or independently by means of chemical synthesis or by a combination of extraction and chemical synthesis; but shall not include the mature stalks of such plant, fiber produced from such stalks, oil or cake made from the seeds of such plant, any other compound, manufacture, salt, derivative, mixture, or preparation of such mature stalks (except the resin extracted therefrom), fiber, oil or cake, or the sterilized seed of such plant which is incapable of germination.* (Section 3(a) of the Cannabis Control Act)

"Caregiver" or "designated caregiver" means a person who is designated by a qualifying patient as the person authorized, on the qualifying patient's behalf, to

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possess, obtain from a certified medical cannabis dispensary, dispense and assist in the administration of medical cannabis.

"Cultivation center" means a facility operated by an organization or business that is registered by the Department of Agriculture to perform necessary activities to provide only registered medical cannabis dispensing organizations with usable medical cannabis. (Section 10(e) of the Act)

"DD214" means a certified DD214 Certificate of Release or Discharge from Active Duty Member Copy 4 or State Director of Veteran Affairs Copy 6; a certified DD214 Report of Separation from Active Duty Copy 2; or equivalent certified document indicating character of service and dates of service. A DD214 can be certified by the State Department of Veterans' Affairs, county veteran's officials, and the federal Department of Veterans Affairs.

~~"DEA Registration Certificate" means a certificate to prescribe controlled substances issued by the U.S. Department of Justice's Drug Enforcement Administration.~~

"Debilitating medical condition" means cancer, glaucoma, positive status for human immunodeficiency virus (HIV), acquired immune deficiency syndrome (AIDS), hepatitis C, amyotrophic lateral sclerosis (ALS), Crohn's disease, agitation of Alzheimer's disease, cachexia/wasting syndrome, muscular dystrophy, severe fibromyalgia, spinal cord disease, including but not limited to arachnoiditis, Tarlov cysts, hydromyelia, syringomyelia, Rheumatoid arthritis (RA), fibrous dysplasia, spinal cord injury, traumatic brain injury (TBI) and post-concussion syndrome, Multiple Sclerosis, Arnold-Chiari malformation and Syringomyelia, Spinocerebellar Ataxia (SCA), Parkinson's disease, Tourette's syndrome, Myoclonus, Dystonia, Reflex Sympathetic Dystrophy, RSD (Complex Regional Pain Syndromes Type I), Causalgia, CRPS (Complex Regional Pain Syndromes Type II), Neurofibromatosis, Chronic Inflammatory Demyelinating Polyneuropathy, Sjogren's syndrome, Lupus, Interstitial Cystitis, Myasthenia Gravis, Hydrocephalus, nail-patella syndrome, residual limb pain, seizures (including those characteristic of epilepsy); and post-traumatic stress disorder (PTSD) or the treatment of these conditions; or any other debilitating medical condition that is added pursuant to the statute or by the Department by rule as provided in Section 946.30. (Section 10(h) of the Act)

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"Department" means the Illinois Department of Public Health.

"Director" means the Director of the Illinois Department of Public Health or his or her designee.

"Dispensing organization district" or "District" means one of the 43 geographically dispersed areas identified in the Act and by the Department of Financial and Professional Regulation where one or more dispensing organizations may be located.

"Evidence-based medical research" means documentation of published, peer-reviewed best evidence on research related to the use of medical cannabis, which includes up-to-date information from relevant, valid research about the effects of medical cannabis on different forms of diseases and conditions, its use in health care, the potential for harm from exposure, and other relevant medical information.

"Excluded offense" means: ~~a violent crime defined in Section 3 of the Rights of Crime Victims and Witnesses Act or a substantially similar offense that was classified as a felony in the jurisdiction where the person was convicted; or a violation of a state or federal controlled substance law, the Cannabis Control Act, or the Methamphetamine and Community Protection Act, that was classified as a felony in the jurisdiction where the person was convicted, except that the Department may waive this restriction if the person demonstrates to the Department's satisfaction that his or her conviction was for the possession, cultivation, transfer, or delivery of a reasonable amount of cannabis intended for medical use.~~

This exception does not apply if the conviction was under state law and involved a violation of an existing medical cannabis law. (Section ~~10(1-5)~~10(4) of the Act)

"Fingerprint-based criminal history records check" means a fingerprint-based criminal history records check conducted by the Illinois State Police in accordance with the Uniform Conviction Information Act (UCIA).

"Health care facility" means any and all facilities and agencies licensed by the ~~Illinois Department of Public Health~~, including, but not limited to, those

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registered under the Hospital Licensing Act, Nursing Home Care Act, Ambulatory Surgical Treatment Center Act, Alternative Health Care Delivery Act, Hospice Program Licensing Act, Specialized Mental Health Rehabilitation Act of 2013 and any nursing facility operated by the Illinois Department of Veterans' Affairs.

"ISP" means the Illinois State Police.

"Livescan" means an inkless electronic system designed to capture an individual's fingerprint images and demographic data in a digitized format that can be transmitted to ISP for processing. The data is forwarded to the ISP Bureau of Identification (BOI) over a virtual private network (VPN) and then processed by ISP's Automated Fingerprint Identification System (AFIS). Once received at the BOI for processing, the inquiry may be forwarded electronically to the Federal Bureau of Investigation (FBI) for processing.

"Livescan vendor" means an entity licensed by the Department of Financial and Professional Regulation to provide commercial fingerprinting services under the Private Detective, Private Alarm, Private Security, Fingerprint Vendor, and Locksmith Act of 2004.

"Medical cannabis" means cannabis and its constituent cannabinoids, such as tetrahydrocannabinol (THC) and cannabidiol (CBD), used as an herbal remedy or therapy to treat disease or alleviate symptoms. Medical cannabis can be administered in a variety of ways, including, but not limited to: vaporizing or smoking dried buds; using concentrates; administering tinctures or tonics; applying topicals such as ointments or balms; or consuming medical cannabis-infused food products.

"Medical cannabis container" means a sealed, traceable, food compliant, tamper resistant, tamper evident container or package used for the purpose of containment of medical cannabis. (Section 10(n) of the Act)

"Medical cannabis dispensing organization" or "Dispensing organization" means a facility operated by an organization or business that is registered by the Department of Financial and Professional Regulation to acquire medical cannabis from a registered cultivation center for the purpose of dispensing

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medical cannabis, paraphernalia, or related supplies and educational materials to registered qualifying patients. (Section 10(o) of the Act)

"Medical cannabis-infused product" means food, oils, ointments, sodas or teas, capsules or other products containing usable cannabis that are not smoked. (Section 10(q) of the Act)

"Petitioner" means an applicant who seeks to add debilitating medical conditions to those listed in Section 10(h) of the Act as allowed under Section 946.30.

"Private residence" means the part of a structure used as a dwelling, including, without limitation: a private home, townhouse, condominium, apartment, mobile home, vacation home, cabin or cottage. For the purposes of this definition, a hotel, motel, inn, resort, lodge, bed and breakfast or other similar public accommodation, hospital, nursing home or assisted living facility shall not be considered a private residence.

"Promptly" means as soon as reasonably practicable, but not later than five days.

"Public place" means any place where an individual could reasonably be expected to be observed by others, including all parts of buildings owned in whole or in part or leased by the State or a unit of local government. A "public place" does not include health care facilities, as defined in this Part, or private residences unless the private residence is used to provide child care, foster care or other similar social service care on the premises.

"Qualifying patient" means a person who has been diagnosed by a physician as having a debilitating medical condition. (Section 10(t) of the Act)

~~"Quorum" means a majority of the appointed members of the advisory committee being present in person or participating through video conference or by telephonic means.~~

"Reasonable amount" means less than 2,000 grams of cannabis for any conviction that occurred in the past 10 years or any amount of cannabis if the felony in the jurisdiction where the conviction occurred has been reclassified as a misdemeanor or petty offense since the time of the conviction.

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"Registered qualifying patient" means a qualifying patient who has been approved by the Department and has been issued a registry identification card.

"Registry identification card" or "medical cannabis patient registry card" means a document issued by the Department that identifies a person as a current registered qualifying patient or registered designated caregiver. (Section 10(v) of the Act)

"Resident" means a person who maintains a legal place of residence in the State of Illinois.

"Reviewing physician" means a physician currently licensed under the Medical Practice Act of 1987 or who possesses a current, active medical license issued by another state, who has conducted a review of the medical records from other physician treating a qualifying patient who is under 18 years of age for the purpose of confirming the diagnosis of debilitating medical conditions as defined in the Act~~attesting that the qualifying patient is likely to receive therapeutic or palliative benefit from the medical use of cannabis to treat or alleviate the qualifying patient's debilitating medical condition.~~

"Spinal cord injury" means damage to the nervous tissue of the spinal cord with objective neurological indication of intractable spasticity.

"Terminal illness" means a debilitating condition or other illness for which the qualifying patient has received a diagnosis for a life expectancy of six months or less.

"Tincture" means cannabis flowered tops and leaves that are soaked in liquid, usually an alcohol solution, transferring the THC and other cannabinoids to the liquid. The tincture may be added to foods and liquids, applied to the skin, or consumed directly by drinking a small quantity or placing a few drops under the tongue.

"Tetrahydrocannabinol" or "THC" means the primary active ingredient in cannabis.

"VA" means federal Department of Veterans Affairs.

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"Veteran" means person who served in one of the five active-duty Armed Services or their respective Guard or Reserve units, and who was discharged or released from service under conditions other than dishonorable.

"VA hospital" means a health care facility operated by the federal Department of Veterans Affairs-Veterans Health Administration providing hospital and outpatient health care services to U.S. military service veterans.

"VA official hospital medical records" means records from the VA documenting medical conditions and dates of treatment in the VA healthcare system.

~~"Violent crime" means any felony in which force or threat of force was used against the victim, or any offense involving sexual exploitation, sexual conduct or sexual penetration, or a violation of Section 11-20.1, 11-20.1B, or 11-20.3 of the Criminal Code of 1961 or the Criminal Code of 2012, domestic battery, violation of an order of protection, stalking, or any misdemeanor which results in death or great bodily harm to the victim or any violation of Section 9-3 of the Criminal Code of 1961 or the Criminal Code of 2012, or Section 11-501 of the Illinois Vehicle Code, or a similar provision of a local ordinance, if the violation resulted in personal injury or death, and includes any action committed by a juvenile that would be a violent crime if committed by an adult. For the purposes of this definition, "personal injury" shall include any Type A injury as indicated on the traffic accident report completed by a law enforcement officer that requires immediate professional attention in either a doctor's office or medical facility. A Type A injury shall include severely bleeding wounds, distorted extremities, and injuries that require the injured party to be carried from the scene; or a substantially similar offense that was tried and convicted as a felony in the jurisdiction where the qualifying patient or designated caregiver was convicted. (Section 3(c) of the Rights of Crime Victims and Witnesses Act and Section 10(1)(1) of the Act)~~

"Waiver" means a waiver of an excluded offense granted by the Department solely based upon the results of a fingerprint-based criminal history records check if the person demonstrates to the Department's satisfaction that his or her conviction was for the possession, cultivation, transfer, or delivery of a reasonable amount of cannabis intended for medical use. (Section 10(1)(2) of the Act)

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"Written certification" means a document dated and signed by a physician, stating that in the physician's professional opinion, the patient is likely to receive therapeutic or palliative benefit from the medical use of cannabis to treat or alleviate the patient's debilitating medical condition or symptoms associated with the debilitating medical condition; that the qualifying patient has a debilitating medical condition and specifying the debilitating medical condition the qualifying patient has; and that the physician is treating or managing treatment of the patient's debilitating condition. patient is under the physician's care for the debilitating medical condition. A written certification shall be made only in the course of a bona-fide physician-patient relationship, after the physician has completed an assessment of the qualifying patient's medical history, reviewed relevant records related to the patient's debilitating condition, and conducted a physical examination. (Section 10(y) of the Act)

(Source: Amended at 40 Ill. Reg. 16753, effective December 15, 2016)

Section 946.25 Terminal Illness

An individual who submits an application for a registry identification card as someone who is terminally ill as defined in Section 946.10 shall have all fees and fingerprinting requirements waived. (Section 60(c-10) of the Act)

- a) A qualifying patient who has been diagnosed with a terminal illness shall register with the Department on forms and in a manner prescribed by the Department.
- b) To qualify for a registry identification card, a qualifying patient with a diagnosis of terminal illness shall:
 - 1) Be a resident of the State of Illinois at the time of application and remain a resident during participation in the program.
 - 2) Meet the definition of terminal illness in Section 946.10.
 - 3) Have a signed, written attestation specifying that the qualifying patient has a terminal illness, on a form provided by the Department, submitted by a physician who meets the requirements set forth in the Act, along with an application for a registry identification card.

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- 4) Complete an application on a form provided by the Department and submit a copy of his or her Illinois driver's license, Temporary Visitor's Driver's License or state identification card. If the individual does not have an Illinois driver's license or state identification card, a color copy of a current passport will be accepted.
- 5) Provide a current digital passport-sized photograph meeting the criteria specified in Section 946.200(b)(6).
- c) A veteran or spouse of a veteran who is receiving care for a debilitating condition at a VA hospital, as specified in Section 946.240, shall sign a written attestation indicating they have been diagnosed with a terminal illness and shall submit one year of official VA hospital medical records from the VA using VA Form 10-5345 and provide a copy of his or her DD214 indicating character and dates of service.
- d) A qualifying patient under the age of 18 diagnosed with a terminal illness will not be required to obtain a written certification from a reviewing physician.
- e) A patient with a terminal illness may specify a designated caregiver. A qualifying patient under age 18 may have two designated caregivers as described in Section 946.201(c).
- f) A qualifying patient shall not possess a school bus permit or a Commercial Driver's License. (Section 30 of the Act). Persons who possess such licenses should revoke them prior to submitting an application for a medical cannabis registry identification card.
- g) Applications submitted by an applicant diagnosed with a terminal illness shall be approved or denied within 14 business days, not including State holidays, of the submission of their complete application. (Section 60(c-10) of the Act) The time period for approval or denial will not include the time necessary for the Secretary of State verification process to be completed or the printing, mailing and receipt of the registry identification card by the patient.
- h) Persons whose diagnosis is no longer terminal after a period of six months and their designated caregiver, may submit an application for a registry identification

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card in accordance with Section 946.200 or Section 946.201 and pay all applicable fees specified in Section 946.210.

(Source: Added at 40 Ill. Reg. 16753, effective December 15, 2016)

Section 946.30 Addition of Debilitating Medical Conditions

Residents may petition the Department to add debilitating medical conditions to those listed in Section 10(h) of the Act and Section 946.20. The Department will accept petitions ~~annually~~ annually twice. The ~~annual petition open~~ period for accepting petitions will be for a one-month period from January 1 through January 31 ~~and again from July 1 through July 31~~ each year. Petitions received outside of the open periods specified in this Section will not be reviewed and will be returned to the resident submitting the petition.

- a) *During the open period, the Department will accept petitions from any resident requesting the addition of a new debilitating medical condition or disease to the list of approved debilitating medical conditions for which the use of cannabis has been shown to have a therapeutic or palliative effect. The Department shall provide public notice 30 days before the open period for accepting petitions, which shall describe the time period for submission, the required format of the submission, and the submission address, which is set forth in Section 946.205. (Section 45(b) of the Act)*

~~The Department will convene a Medical Cannabis Advisory Board (Advisory Board) composed of 16 members, including:~~

- ~~1) One medical cannabis patient advocate or designated caregiver;~~
- ~~2) One parent or designated caregiver of a person under age 18 who is a qualified medical cannabis patient;~~
- ~~3) Two registered nurses or nurse practitioners;~~
- ~~4) Three registered qualifying patients, including one veteran; and~~
- ~~5) Nine healthcare practitioners with current professional licensure in their field. The Advisory Board shall be composed of healthcare practitioners representing the following areas. At least one appointed healthcare~~

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~~practitioner shall have direct experience related to the health care needs of veterans and at least one individual shall have pediatric experience:~~

- ~~A) Neurology;~~
 - ~~B) Pain management;~~
 - ~~C) Medical oncology;~~
 - ~~D) Psychiatry or mental health;~~
 - ~~E) Infectious disease;~~
 - ~~F) Family medicine;~~
 - ~~G) General primary care;~~
 - ~~H) Medical ethics;~~
 - ~~I) Pharmacy;~~
 - ~~J) Pediatrics; or~~
 - ~~K) Psychiatry or mental health for children or adolescents.~~
- b) ~~The Advisory Board shall review petitions and recommend to the Department additional debilitating conditions or diseases that would benefit from the medical use of cannabis.~~
- e) ~~Members of the Advisory Board will be appointed by the Governor.~~
- ~~1) Members shall serve a term of four years or until a successor is appointed and qualified. If a vacancy occurs, the Governor will appoint a replacement to complete the original term created by the vacancy.~~
 - ~~2) Members shall select a chairperson.~~
 - ~~3) Members may serve multiple terms.~~

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- 4) ~~Members shall not have an affiliation with, serve on the board of, or have a business relationship with a registered cultivation center or a registered medical cannabis dispensary.~~
 - 5) ~~Members shall disclose any real or apparent conflicts of interest that may have a direct bearing of the subject matter, such as relationships with pharmaceutical companies, biomedical device manufacturers, or corporations whose products or services are related to the medical condition or disease to be reviewed.~~
 - 6) ~~Members will not be paid but will be reimbursed for travel expenses incurred while fulfilling the responsibilities of the Advisory Board.~~
- d) ~~The Advisory Board shall convene at least twice per year to:~~
- 1) ~~Review petitions received from residents of Illinois for the addition of debilitating medical conditions or diseases that would benefit from the medical use of cannabis.~~
 - 2) ~~Conduct a public hearing to review the petitions received.~~
 - 3) ~~Review conditions previously reviewed by the Advisory Board and accepted by the Department for the purposes of determining whether to recommend the revision of the list of debilitating medical conditions or to review new medical and scientific evidence pertaining to currently approved conditions.~~
 - 4) ~~Recommend the approval or denial of each petitioner's request by submitting a written report to the Department within 60 days after conducting the public hearing. The written report shall include a medical justification for the recommendation based upon the individual or collective expertise of the members of the advisory board. The medical justification shall delineate between the findings of fact made by the Advisory Board and the scientific conclusions of evidence based medical research.~~

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- e) ~~During the open period, the Department will accept petitions from any resident requesting the addition of a new debilitating medical condition or disease to the list of approved debilitating medical conditions for which the use of cannabis has been shown to have a therapeutic or palliative effect. The Department will provide public notice 30 days before the open period for accepting petitions, describing the time period for submission, the required format of the submission, and the submission address, which is set forth in Section 946.205.~~
- b)f) ~~Each petition shall be limited to one proposed debilitating medical condition or disease. (Section 45(c) of the Act)~~Each petition shall be limited to one proposed debilitating medical condition or disease.
- c)g) ~~A petitioner shall file one original petition in the format provided by the Department and in the manner specified by the Department. For a petition to be processed and reviewed, the following information shall be included: (Section 45(d) of the Act)~~A petitioner shall file one original petition in the format provided by the Department and two paper copies, along with a CD/DVD or flash drive containing the petition and all associated documents in electronic form, with the Department by certified U.S. mail. For a petition to be processed and submitted to the Advisory Board, the following information shall be included:
- 1) ~~The petition, prepared on forms provided by the Department.~~
- 1)2) ~~A specific description of the medical condition or disease that is the subject of the petition. A specific description of the medical condition or disease that is the subject of the petition. The petitioner shall not submit broad categories, e.g., all mental illnesses. Each petition shall be limited to a single condition or disease. Information about the proposed condition or disease shall include:~~Each petition shall be limited to a single condition or disease. Information about the proposed condition or disease shall include:
- A) The extent to which the condition or disease itself and/or the treatments cause severe suffering, such as severe and/or chronic pain, severe nausea and/or vomiting, or otherwise severely impair a person's ability to carry on with activities of daily living;

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- B) Information about why conventional medical therapies are not sufficient to alleviate the suffering caused by the disease or condition and its treatment;
- C) The proposed benefits from the medical use of cannabis specific to the medical condition or disease;
- D) Evidence from the medical community and other experts supporting the use of medical cannabis to alleviate suffering caused by the condition or disease and/or treatment;
- E) Letters of support from physicians or other licensed health care providers knowledgeable about the condition or disease, including, if feasible, a letter from a physician with whom the petitioner has a bona-fide physician-patient relationship;
- F) Any additional medical, testimonial or scientific documentation;
and
- G) An electronic copy of all materials submitted.
- ~~A) The extent to which the condition or disease itself and/or the treatments cause severe suffering, such as severe and/or chronic pain, severe nausea and/or vomiting, or otherwise severely impair a person's ability to carry on with activities of daily living;~~
- ~~B) Information about why conventional medical therapies are not sufficient to alleviate the suffering caused by the disease or condition and its treatment;~~
- ~~C) The proposed benefits from the medical use of cannabis specific to the medical condition or disease;~~
- ~~D) Evidence from the medical community and other experts supporting the use of medical cannabis to alleviate suffering caused by the condition or disease and/or treatment;~~

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- E) ~~Letters of support from physicians or other licensed health care providers knowledgeable about the condition or disease, including, if feasible, a letter from a physician with whom the petitioner has a bona fide physician-patient relationship;~~
 - F) ~~Any additional medical, testimonial or scientific documentation; and~~
 - G) ~~An electronic copy of all materials submitted.~~
- 2) Upon receipt of a petition, the Department shall determine whether the petition meets the standards for submission and, if so, will accept the petition for further review; or whether the petition does not meet the standards for submission and, if so, shall deny the petition without further review.
- 3) If the petition does not fulfill the standards for submission, the petition shall be considered deficient. The Department shall notify the petitioner, who may correct any deficiencies and resubmit the petition during the next open period.
- 3) ~~Upon review of materials submitted pursuant to subsection (g)(2), the Department will determine whether:~~
- A) ~~The petition meets the standards for submission and, if so, will accept the petition for further review; or~~
 - B) ~~The petition does not meet the standards for submission and, if so, will deny the petition without further review.~~
- 4) ~~If the petition does not fulfill the standards for submission, the petition will be considered deficient. The Department will notify the petitioner, who may correct any deficiencies and resubmit the petition during the next open period.~~
- 5) ~~If the petition is accepted, the Department will refer the petition documents to the Advisory Board for review.~~

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- ~~d)h) The petitioner may withdraw his or her petition by submitting a written statement to the Department indicating withdrawal. The petitioner may withdraw his or her petition by submitting a written statement to the Department indicating withdrawal.~~
- e) Upon review of accepted petitions, the Director will consult with Department staff to analyze the clinical and scientific merit of the petitions. This consultation will occur before the Director renders a final decision regarding the acceptance or denial of the proposed debilitating medical conditions or diseases. (Section 45(f) of the Act) The Department's analysis will be recorded in a format prescribed by the Department.
- f) The Department will approve or deny a petition within 180 days after its submission. (Section 45(a) of the Act)
- g) All petitions to add debilitating conditions submitted to the Department in January 2016 will be reviewed in accordance with the rules for the addition of debilitating medical conditions in effect at the time of the submission.
- i) ~~The Advisory Board shall have a minimum of 30 days to review the petitions before convening a public hearing.~~
- j) ~~The Advisory Board shall convene a public hearing to review all petitions accepted by the Department pursuant to Section f(4)(B) requesting the addition of medical conditions or diseases to the list of debilitating medical conditions that would benefit from the medical use of cannabis.~~
- 1) ~~The Department will provide a notice of public hearing setting forth the date, time and location of the hearing, a brief description of the petitions received, and information on the requirements for public comment or statement of intent to present technical evidence, as required by the Open Meetings Act. The Department will publish a notice of the hearing on its website to provide notice to the public.~~
 - 2) ~~Meetings of the Advisory Board shall be in accordance with the Open Meetings Act.~~

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- ~~3) Any meeting consisting of a quorum of the Advisory Board members held for the purpose of evaluating, discussing or otherwise formulating specific opinions concerning the recommendation of a petition filed pursuant to this Part shall be declared a public hearing open to the public at all times, unless a portion of the hearing is closed to protect information made confidential by applicable State or federal laws.~~
- ~~4) A petitioner may request to close a portion of the hearing to protect the disclosure of confidential information. The request for closure of the hearing shall be submitted to the same address as the initial submission set forth in Section 946.205. The request must be received by the Department at least 48 hours prior to the hearing.~~
- k) Any individual or an association of individuals who wishes to present technical evidence at the hearing shall file a statement of intent, no later than 15 days prior to the date of the hearing. The statement of intent to present technical evidence shall include:
 - 1) Name of the person filing the statement;
 - 2) Indication of whether the person filing the statement supports or opposes the petition at issue;
 - 3) Name of each witness;
 - 4) Estimate of the length of the direct testimony of each witness;
 - 5) List of exhibits, if any, to be offered into evidence at the hearing; and
 - 6) Summary or outline of the anticipated direct testimony of each witness.
- l) Upon final determination, the Advisory Board shall provide the Director a written report of findings recommending either the approval or denial of the petitioner's request. The written report of findings shall include a medical justification for the recommendation based upon the individual or collective expertise of the Advisory Board membership. The medical justification shall delineate between the findings of fact made by the Advisory Board and scientific conclusions of evidence-based

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~~medical research. The written report of findings shall protect information by applicable State or federal laws (e.g., FOIA or HIPAA).~~

- m) ~~Upon review of the Advisory Board's recommendations, the Director will render a final decision regarding the acceptance or denial of the proposed debilitating medical conditions or diseases.~~
- n) ~~The Department will approve or deny a petition within 180 days after its submission during the biannual petition period. (Section 45 of the Act)~~

(Source: Amended at 40 Ill. Reg. 16753, effective December 15, 2016)

Section 946.35 Medical Cannabis Advisory Board

- a) The Department shall convene a Medical Cannabis Advisory Board (Advisory Board) composed of 16 members, including (Section 45(q) of the Act):
- 1) One medical cannabis patient advocate or designated caregiver;
 - 2) One parent or designated caregiver of a person under age 18 who is a qualified medical cannabis patient;
 - 3) Two registered nurses or nurse practitioners;
 - 4) Three registered qualifying patients, including one veteran; and
 - 5) Nine health care practitioners with current professional licensure in their field. The Advisory Board shall be composed of health care practitioners representing the following areas:
 - A) Neurology;
 - B) Pain management;
 - C) Medical oncology;
 - D) Psychiatry or mental health;
 - E) Infectious disease;

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- F) Family medicine;
- G) General primary care;
- H) Medical ethics;
- I) Pharmacy;
- J) Pediatrics; or
- K) Psychiatry or mental health for children or adolescents.

At least one appointed health care practitioner shall have direct experience related to the health care needs of veterans and at least one individual shall have pediatric experience.

- b) Members of the Advisory Board shall be appointed by the Governor.
 - 1) Members shall serve a term of four years or until a successor is appointed and qualified. If a vacancy occurs, the Governor shall appoint a replacement to complete the original term created by the vacancy.
 - 2) The Governor shall select a chairperson.
 - 3) Members may serve multiple terms.
 - 4) Members shall not have an affiliation with, serve on the board of, or have a business relationship with a registered cultivation center or a registered medical cannabis dispensary.
 - 5) Members shall disclose any real or apparent conflicts of interest that may have a direct bearing of the subject matter, such as relationships with pharmaceutical companies, biomedical device manufacturers, or corporations whose products or services are related to the medical condition or disease to be reviewed.

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- 6) Members shall not be paid but will be reimbursed for travel expenses incurred while fulfilling the responsibilities of the Advisory Board.
- c) The Advisory Board shall convene at the call of the Chair to:
 - 1) Examine debilitating conditions or diseases that would benefit from the medical use of cannabis, and;
 - 2) Review any new medical and scientific evidence pertaining to currently approved debilitating conditions.
 - 3) The Advisory Board shall issue an annual report of its activities each year.

(Source: Added at 40 Ill. Reg. 16753, effective December 15, 2016)

Section 946.60 Confidentiality

- a) The following information received and records kept by the Department for purposes of administering this Part are subject to all applicable federal privacy laws, are confidential, are exempt from the Illinois Freedom of Information Act, and are not subject to disclosure to any individual or public or private entity, except as necessary for authorized employees of the Department to perform official duties of the Department pursuant to this Part:
 - 1) Applications or renewals, their contents and supporting information submitted by qualifying patients and designated caregivers, including information regarding designated caregivers and physicians;
 - 2) The individual names and other information identifying persons to whom the Department has issued registry identification cards; and
 - 3) All medical records provided to the Department in connection with an application for a registry identification card.
- b) Department hard drives or other data recording media that are no longer in use and that contain cardholder information will be destroyed.

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- c) Data subject to this Section shall not be *combined or linked in any manner with any other list or database and shall not be used for any purpose not provided by this Part or the Act.* (Section 150(a) of the Act)
- d) Any dispensing information required to be kept under Section 135 or 150 of the Act or under this Part will identify cardholders by their registry identification numbers and not contain names or other personally identifying information.
- e) The Department of Agriculture, the Department of Financial and Professional Regulation and the Illinois State Police may verify registry identification cards. Law enforcement personnel shall have access to the Department's on-line verification system to verify application date and application status of qualifying patients who have submitted an application for a registry identification card.
- f) This Section does not preclude the following notifications:
 - 1) Department employees may notify law enforcement if information submitted to the Department is suspected to be falsified or fraudulent.
 - 2) The Department may notify State or local law enforcement about alleged criminal violations of this Part.
 - 3) The Department will notify the Department of Financial and Professional Regulation if there is reasonable cause to believe that a physician has:
 - A) Issued a written certification without a bona-fide physician-patient relationship; or
 - B) Issued a written certification to a person who was not under the physician's care for the debilitating medical condition; or
 - C) Failed to abide by the acceptable and prevailing standard of care when evaluating a patient's medical condition.
- g) The Department will share, disclose, and forward patient information as required by Section 60(e) of the Act.

(Source: Amended at 40 Ill. Reg. 16753, effective December 15, 2016)

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SUBPART B: QUALIFYING PATIENTS AND DESIGNATED CAREGIVERS

Section 946.200 Application for Registry Identification Card for Qualifying Patients and Designated Caregivers

- a) A qualifying patient who has been issued a written certification who seeks to use medical cannabis for palliative or therapeutic benefit to treat or alleviate the symptoms associated with the patient's debilitating condition, and the qualifying patient's designated caregiver, when applicable, shall register with the Department on forms and in a manner prescribed by the Department.
- b) To qualify for a registry identification card, a qualifying patient shall:
 - 1) Be a resident of the State of Illinois, as defined in subsection (c), at the time of application and remain a resident during participation in the program;
 - 2) Have a qualifying medical condition for which the use of medical cannabis will provide help with treating or alleviating the pain, nausea and other symptoms associated with the condition or be diagnosed with a terminal illness;
 - 3) Have a signed, written certification ~~for the use of medical cannabis~~ meeting the requirements of this Part;
 - 4) Complete the fingerprint-based background check and not have been convicted of an offense specified under Section 65(b) of the Act, unless diagnosed with a terminal illness.
- c) Residency. For purposes of this Part, the qualifying patient and designated caregiver, if any, shall be a resident of the State of Illinois if the individual:
 - 1) Physically resides in the State of Illinois, or has taken verifiable actions to make Illinois his or her home indefinitely with no present intent to reside in another state.

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- 2) Provides proof of Illinois residency by submitting at least two of the following items with the application for a registry identification card. The address on the documentation provided shall match the address on the application. ~~Persons;~~ ~~persons~~ who are homeless shall only be required to submit a Notarized Homeless Status Certification (available at https://www.cyberdriveillinois.com/publications/pdf_publications/dsd_a230.pdf):
- A) Pay stub or electronic deposit receipt, issued less than 60 days prior to the application date, that shows evidence of the applicant's withholding for State income tax;
 - B) Valid voter registration card with an address in Illinois;
 - C) Valid, unexpired Illinois Driver's License, Illinois Temporary Visitor Driver's License, ~~driver's license~~ or other State identification card issued by the Illinois Secretary of State in the name of the applicant in accordance with the Illinois Identification Card Act or a current military identification card;
 - D) Bank statement (dated less than ~~90~~60 days prior to application) or credit card statement (dated less than 60 days prior to application);
 - E) Deed/title, mortgage or rental/lease agreement; property tax bill;
 - F) Insurance policy (current coverage for automobile, homeowner's, health or medical, or renter's);
 - G) Medical claim or statement of benefits (from a hospital or health clinic or private insurance company or public (government) agency, dated less than 12 months~~90 days~~ prior to application) ~~or Social Security Disability Insurance Statement or Supplemental Security Income Benefits Statement~~;
 - H) Persons enrolled in the federal Social Security Disability Income (SSDI) or Supplemental Security Income (SSI) disability program may submit a "Benefit Verification Letter" from the Social Security Administration; showing the individual's name and

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address and the type of benefits received. The letter must be dated within the last year. A copy of the letter may be obtained on-line at <https://www.ssa.gov/myaccount/> or by contacting the Social Security Administration. The annual cost of living increase letter mailed to recipients of social security benefits will not be accepted.

- ~~D)~~ Tuition invoice/official mail from college or university, dated less than the 12 months prior to application; ~~or~~
- ~~J)~~ Utility bill, including, but not limited to, those for electric, water, refuse, telephone land-line, cellular phone, cable or gas, issued less than 60 days prior to application; or
- K) W-2 form from the most recent tax year.

- d) To apply for a registry identification card, a qualifying patient shall submit a completed application to the Department on the required forms, which shall include, at a minimum, the following items:
- 1) Written certification for the use of medical cannabis meeting the requirements of this Part issued by a physician who meets the requirements set forth in the Act and the Medical Practice Act of 1987 and dated less than 90 days prior to the application;
 - 2) Proof of Illinois residency of the qualifying patient, as specified in subsection (c);
 - 3) Proof of identity of the qualifying patient;
 - 4) Proof of the qualifying patient's age;
 - 5) Photograph of the qualifying patient and designated caregiver, if applicable, as follows:
 - A) Current digital passport-size photograph image, taken no more than 30 calendar days before the submission of the application;
 - B) Taken against a plain background or backdrop;

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- C) At least 2 inches by 2 inches in size;
- D) In natural color; and
- E) That provides an unobstructed front view of the full face. A full-faced photograph must be taken without any obstruction of the applicant's facial features or any items covering any portion of the face. Prescription glasses and religious head coverings not covering any areas of the open face will be allowed. [Head coverings for persons diagnosed and undergoing treatment for cancer will be allowed.](#)
- i) A qualifying patient or designated caregiver will not be required to submit to a photograph if sufficient justification is provided by the qualifying patient or caregiver to establish that a photograph would be in violation of or contradictory to the qualifying patient's or designated caregiver's religious convictions. If a qualifying patient or designated caregiver declares that the use of a photograph is against his/her religious convictions, the qualifying patient or designated caregiver will be given an affidavit to be completed. This affidavit contains designated areas for a detailed written explanation of the reasons why a photograph is against the qualifying patient's or designated caregiver's religious convictions, a place for the qualifying patient's or designated caregiver's signature and date, the designation of the religious sect or denomination involved, space for a minister or other religious leader to apply his/her signature attesting to the explanation the qualifying patient or designated caregiver has offered, along with the date and official title of the minister or religious leader.
- ii) The ~~affidavit~~[Affidavit](#) shall be submitted to the Department. The Director will appoint a committee of three Department employees to review each affidavit. The committee shall submit a recommendation to the Director for his or her final decision.

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- iii) If the qualifying patient or designated caregiver meets all other application requirements of this Part, the Department will issue a non-photo temporary registry identification card, not to exceed 90 days in duration, to allow for medical cannabis use privileges during the determination
 - iv) Upon approval by the Department, a valid registry identification card without a photograph will be issued and can be renewed. The card will be mailed to the qualifying patient's home address.
- 6) Designation of the medical cannabis dispensing organization where the qualifying patient will receive his or her medical cannabis. Only one medical cannabis dispensing organization may be selected at any time, however, the patient is able to submit a request to change the selected dispensary by notifying the Department.~~During 2014, and later if the Department so elects, a qualifying patient may designate the dispensing organization district in which he or she expects to obtain his or her medical cannabis.~~
- 7) Completion of the designated caregiver application if applicable.
- 8) Payment of the applicable application fee (see Section 946.210) by check or money order. If the qualifying patient or caregiver is applying on-line, the Department will accept credit card payments.

(Source: Amended at 40 Ill. Reg. 16753, effective December 15, 2016)

Section 946.201 Application for Registry Identification Card for Qualifying Patients under 18 Years of Age

- a) A qualifying patient under 18 years of age shall register with the Department on forms and in a manner prescribed by the Department. The designated caregiver shall complete the application for registry identification card for a qualifying patient under 18 years of age. Once the qualifying patient becomes 18 years of age, he or she must submit a full application for a registry identification card as specified in Section 946.200. Qualifying patients who become 18 years of age

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during the time period in which their registry identification card is valid may apply for a registry identification card either immediately or during the normal renewal period. Until that time, the registry identification card shall be subject to the conditions applicable to the registered qualifying patient under age 18.

- b) To qualify for a registry identification card, a qualifying patient under 18 years of age shall:
- 1) Be a resident of the State of Illinois, as defined in subsection (c), at the time of application and remain a resident during participation in the program;
 - 2) Be diagnosed with any debilitating medical condition listed in Section 946.310 for which medical cannabis may be used to treat or alleviate the pain, nausea or other symptoms associated with the condition or have a diagnosis of terminal illness.
- c) The application for a registry identification card for a qualifying patient under 18 years of age shall include the following:
- 1) Two signed written certifications for the use of medical cannabis:
 - A) A signed written certification as specified in Section 946.310; and
 - B) A signed written certification from a reviewing physician indicating that a comprehensive review of the qualifying patient's medical records from other physicians treating the qualifying patient has been conducted;
 - 2) Identify a designated caregiver (custodial parent or legal guardian) who shall complete an application for a caregiver registry identification card as specified in Section 946.200;
 - A) A qualifying patient under 18 years of age may identify two designated caregivers if both biological parents or two legal guardians have significant decision-making responsibilities over the qualifying patient; or

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- B) If only one biological parent or legal guardian has significant decision-making responsibilities for the qualifying patient under 18 years of age, then a second designated caregiver may be identified.
- 3) A completed, signed Medical Cannabis Custodial Parent and Legal Guardian Attestation form. This form can be downloaded from the Illinois Department of Public Health website at <http://idph.state.il.us/>; and
- 4) If applicable, provide proof of guardianship documentation.
- d) Residency. For purposes of this Part, the qualifying patient and custodial parent or legal guardian shall be residents of the State of Illinois.
- e) The designated caregiver shall provide proof of Illinois residency by submitting the following items with the application for a registry identification card. Persons who are homeless shall be required to submit only a Notarized Homeless Status Certification (available at https://www.cyberdriveillinois.com/publications/pdf_publications/dsd_a230.pdf):
- 1) A copy of the caregiver's unexpired Illinois [Driver's License or Illinois Temporary Visitor Driver's License](#)~~driver's license~~; or
- 2) A copy of the caregiver's unexpired Illinois identification card; or
- 3) A copy of the caregiver's unexpired U.S. passport.
- f) To apply for a registry identification card for a qualifying patient under 18 years old, the designated caregiver shall submit a completed application to the Department on the required forms, which shall include, at a minimum, the following items:
- 1) A written certification for the use of medical cannabis meeting the requirements of this Part, issued by a physician who meets the requirements set forth in the Act and the Medical Practice Act of 1987, and dated less than 90 days prior to the application;
- 2) A signed written certification from a reviewing physician indicating that a comprehensive review of the qualifying patient's medical records from

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other physicians treating the qualifying patient has been conducted. This physician shall meet the requirements set forth in the Medical Practice Act of 1987 or shall provide proof of a current, active medical license issued by another state.

- 3) Proof of Illinois residency of the qualifying patient, as specified in subsection (c);
- 4) Proof of identity of the qualifying patient (copy of the qualifying patient's birth certificate);
- 5) Proof of the qualifying patient's age. A copy of the qualifying patient's birth certificate shall fulfill this requirement;
- 6) Current digital passport-size photograph of the designated caregiver, as follows:
 - A) Taken no more than 30 calendar days before the submission of the application;
 - B) Taken against a plain background or backdrop;
 - C) At least 2 inches by 2 inches in size;
 - D) In natural color; and
 - E) That provides an unobstructed front view of the full face. A full-faced photograph must be taken without any obstruction of the applicant's facial features or any items covering any portion of the face. Prescription glasses and religious head coverings not covering any areas of the open face will be allowed.
 - i) A designated caregiver for a qualifying patient under 18 years old will not be required to submit a photograph if sufficient justification is provided by the caregiver to establish that a photograph would be in violation of or contradictory to the designated caregiver's religious convictions. If a designated caregiver declares that the use

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of a photograph is against his/her religious convictions, the designated caregiver will complete an affidavit on a form provided by the Department. The affidavit contains designated areas for a detailed written explanation of the reasons why a photograph is against the designated caregiver's religious convictions; a place for the designated caregiver's signature and date, the designation of the religious sect or denomination involved; space for a minister or other religious leader to apply his/her signature attesting to the explanation the designated caregiver has offered; and the date and official title of the minister or religious leader.

- ii) The affidavit shall be submitted to the Department. The Director will appoint a committee of three Department employees to review each affidavit. The committee shall submit a recommendation to the Director for his or her final decision.
 - iii) If the designated caregiver meets all other application requirements of this Part, the Department will issue a non-photo temporary registry identification card, not to exceed 90 days in duration, to allow for medical cannabis use privileges during the determination.
 - iv) Upon approval by the Department, a valid registry identification card without a photograph will be issued and can be renewed. The card will be mailed to the designated caregiver's home address.
- 7) Designation of the medical cannabis dispensing organization where the designated caregiver will obtain medical cannabis on behalf of the qualifying patient under 18 years of age.
 - 8) Completion of the Medical Cannabis Parent and Legal Guardian Attestation form.
 - 9) If applicable, submission of proof of guardianship documentation.

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- 10) Payment of the applicable application fee (see Section 946.210) by check or money order. If the patient or caregiver is applying on-line, the Department will accept credit card payments.

(Source: Amended at 40 Ill. Reg. 16753, effective December 15, 2016)

Section 946.205 Deadlines for Submission of Application for Registry Identification Card

A qualifying patient ~~who has been issued a physician written certification~~ who seeks to use medical cannabis for palliative or therapeutic benefit for the patient's debilitating condition, and the qualifying patient's designated caregiver when applicable, shall register with the Department on forms and in a manner prescribed in this Part.

- a) ~~Applications Beginning January 1, 2015, applications~~ for registry identification cards will be accepted year round.
- b) Application Submission
 - 1) Applications for registry identification cards shall be submitted electronically through the Department's website (www.idph.state.il.us) or shall be sent via U.S. mail to the following address:

Division of Medical Cannabis
Illinois Department of Public Health
535 West Jefferson Street
Springfield, IL 62761-0001
 - 2) Applications for registry identification cards not submitted electronically or to the above address shall be considered deficient.
- c) *The Department of Public Health shall send a notification to a registered qualifying patient or designated caregiver 90 days prior to the expiration date on the registry identification card. (Section 70 of the Act)*
- d) *To maintain a valid registry identification card, a registered qualifying patient and designated caregiver must annually resubmit, at least 45 days prior to the expiration date stated on the registry identification card, a completed renewal*

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application (see Section 946.200), *renewal fee* (see Section 946.210) and *accompanying documentation* (see Section 946.200). (Section 70 of the Act)

(Source: Amended at 40 Ill. Reg. 16753, effective December 15, 2016)

Section 946.210 Fees

- a) Except as set forth in subsection (b), the registration, renewal and replacement card fees are as specified in this subsection (a). All fees submitted to the Department shall be non-refundable. Annually, the Department may revise these fees:

- | | | |
|----|---|-------|
| 1) | Qualifying Annual <u>qualifying</u> patient application fee <u>valid for:</u> | \$100 |
| | A) <u>One year</u> | \$100 |
| | B) <u>Two years</u> | \$200 |
| | C) <u>Three years</u> | \$250 |
| 2) | Qualifying Annual application fee for a <u>qualifying</u> patient under 18 years of age <u>application fee</u> (includes <u>one</u> caregiver application fee) <u>valid for:</u> | \$100 |
| | A) <u>One year</u> | \$100 |
| | B) <u>Two years</u> | \$200 |
| | C) <u>Three years</u> | \$250 |
| 3) | Caregiver or second caregiver for a patient under 18 years of age Annual caregiver application fee <u>valid for:</u> | \$25 |
| | A) <u>One year</u> | \$25 |

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|----|--------------------|-------------|
| B) | <u>Two years</u> | <u>\$50</u> |
| C) | <u>Three years</u> | <u>\$75</u> |
- 4) Replacement card fee \$25
- 5) Returned check fee \$35
- b) The Department may reduce registration and renewal card fees for a qualifying patient enrolled in the federal Social Security Disability Income (SSDI) or the Supplemental Security Income (SSI) disability programs, with submission of proof as described in subsection (b)(2), and for veterans with proof of service as described in subsection (b)(3).
- | | | |
|----|---|--------------|
| 1) | Annual reduced <u>Reduced</u> qualifying patient application fee <u>valid for:</u> | <u>\$50</u> |
| | A) <u>One year</u> | <u>\$50</u> |
| | B) <u>Two years</u> | <u>\$100</u> |
| | C) <u>Three years</u> | <u>\$150</u> |
- 2) ~~The applicant enrolled in the federal Social Security Disability Income (SSDI) or Supplemental Security Income (SSI) disability program shall submit a "Benefit Verification Letter" from the Social Security Administration, showing the individual's name and address and the type of benefits received. The letter must be dated within the last year. A copy of the letter may be obtained on-line at <https://www.ssa.gov/myaccount/> or by contacting the Social Security Administration. The annual cost of living increase letter mailed to recipients of social security benefits will not be accepted~~ shall submit a copy of a letter or other documentation from the Social Security Administration identifying the qualifying patient and showing the amount of monthly SSDI and SSI benefits to be received by the qualifying patient during the current year of application.
- 3) Veterans shall provide a copy of their DD214.

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- c) Registered qualifying patients seeking to add a designated caregiver after a registry identification card has been issued shall submit a fee of \$50 for the designated caregiver application and an additional \$25 replacement card fee to print a new registry identification card for the registered qualifying patient. The designated caregiver registry card shall expire on the same day as the registered qualifying patient registry card expiration date.

(Source: Amended at 40 Ill. Reg. 16753, effective December 15, 2016)

Section 946.220 Fingerprint-Based Criminal History Records Check

No person convicted of an excluded offense shall be eligible to receive a registry identification card.~~*No person who has been convicted of a felony under the Illinois Controlled Substances Act, Cannabis Control Act, or Methamphetamine Control and Community Protection Act, or similar provisions in a local ordinance or other jurisdiction is eligible to receive a registry identification card. (Section 65(b) of the Act)*~~

- a) The Illinois State Police (ISP) will act as the Department's agent for purposes of receiving electronic fingerprints and conducting background checks of each qualifying patient and designated caregiver, if applicable, applying for a registry identification card.
- 1) The ISP will conduct background checks for conviction information contained within ISP and Federal Bureau of Investigation (FBI) criminal history databases to the extent allowed by law.
 - 2) For verification of any statutorily imposed duty to conduct background checks pursuant to the Act, ISP will transmit the results of the background check to the Department.
 - 3) The electronic background checks will be submitted as outlined in the Illinois Uniform Conviction Information Act or ISP rules at 20 Ill. Adm. Code 1265.30 (Electronic Transmission of Fingerprints).
- b) Each qualifying patient and designated caregiver, if applicable, applying for a registry identification card shall have his or her fingerprints collected electronically by a livescan vendor licensed by the Illinois Department of Financial and Professional Regulation, and transmitted to ISP for processing no

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more than 30 days prior to the date of application or renewal for a registry identification card. If the qualifying patient is under age 18 at the time of application, no fingerprint collection shall be necessary for the qualifying patient; however, the designated caregiver shall comply with the requirements of this Section.

- 1) The qualifying patient or designated caregiver shall submit to the Department, with the registry card application or renewal, a copy of the livescan request form and the receipt provided by the livescan fingerprint vendor containing the Transaction Control Number (TCN) as proof that fingerprints have been collected.
- 2) Registry card applications submitted, except those for persons with a diagnosis of terminal illness in accordance with Section 946.25, without a copy of the livescan request form and receipt will be considered incomplete and will not be processed until fingerprinting is completed.
- 3) Any fees associated with the livescan fingerprint-based criminal history records check shall be the responsibility of the individual seeking a registry identification card and will be collected by the livescan vendor at the time of fingerprinting.
- 4) If the fingerprints are rejected by ISP, the qualifying patient or designated caregiver shall have his or her fingerprints collected electronically by a licensed livescan vendor a second time.
- 5) If equipment malfunction or other special circumstances make electronic transmission of fingerprint data impractical, the Department will allow use of paper fingerprint records.
- 6) A qualifying patient who is unable to be fingerprinted due to an amputation, deformed or missing fingers, or fingerprints which are worn or missing due to age or illness, may seek a waiver from the livescan process from the Department by explaining in writing why a fingerprint background check cannot be processed. If approved, the Department will provide a name-based background check form.

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- A) The qualifying patient shall be responsible for all fees associated with the name-based background check.
 - B) Disability or immobility shall not be accepted as a reason for waiving the fingerprint background check.
- c) The Department will obtain from ISP a State and federal criminal records check for each qualifying patient applying for a registry identification card and for each designated caregiver identified on a qualifying patient registry application.
- d) The Department will maintain the results of the criminal history records check for the time period associated with the registry identification card or the registered qualifying patient and designated caregiver, if any, and in accordance with the State Records Act, after which the documentation shall be destroyed.
- e) Denial of Application or Renewal
- 1) The Department may deny an application or renewal for a qualifying patient or a designated caregiver who has been convicted of an excluded offense in accordance with this subsection (e).
 - A) Denial of a designated caregiver will not automatically result in the denial of a qualifying patient application.
 - B) The qualifying patient shall identify a new designated caregiver within 15 days after receiving notice of the denial of his or her designated caregiver application or shall indicate that a designated caregiver is not required.
 - C) The Department will not deny an application for a registry identification card based solely on the qualifying patient's or designated caregiver's conviction for an excluded offense for a violation of a State or federal controlled substance law that was classified as a felony if his or her conviction was for the possession, cultivation, transfer or delivery of a reasonable amount of cannabis intended for medical use and the termination of the last sentence was 10 or more years prior to application.

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- 2) Exception
If the qualifying patient or designated caregiver has been convicted of any excluded offenses, the Department may approve a registry identification card pursuant to this Part *if the person demonstrates that his or her conviction was for the possession, cultivation, transfer, or delivery of a reasonable amount of cannabis intended for medical use.* (Section [10\(1\)\(1-5\)+0\(1\)\(2\)](#) of the Act) In determining whether to waive a conviction for excluded offenses, the Department will:
- A) Review the criminal records and the qualifying patient's medical history to determine whether the patient had been diagnosed with the debilitating medical condition at the time of the offense; and
 - B) Determine whether the offense consisted of conduct for which, had it occurred on or after January 1, 2014, would likely have been protected by the Act and would likely not have resulted in a conviction.
- 3) Qualifying Patients Under 18 Years of Age
- A) Denial of a designated caregiver (custodial parent or legal guardian) because of an excluded offense will not automatically result in the denial of an application for a qualifying patient under 18.
 - B) The custodial parent or legal guardian shall identify a new designated caregiver within 15 days after receiving notice of the denial of his or her designated caregiver application. The custodial parent or legal guardian shall execute an Authorization and Consent form designating a person over 21 years of age to act as the designated caregiver for the qualifying patient under 18.
- f) The Department will not waive convictions for violations of the medical cannabis laws of Illinois or any other State or jurisdiction.

(Source: Amended at 40 Ill. Reg. 16753, effective December 15, 2016)

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Section 946.240 Persons Receiving Medical Care at U.S. Department of Veterans Affairs Facilities

- a) A qualifying patient who is *a veteran* or spouse of a veteran *who has received treatment at a VA hospital is deemed to have a bona-fide physician-patient relationship with a VA physician if the patient has been seen for his or her debilitating condition at the VA hospital in accordance with VA hospital protocols.* (Section 60 of the Act)
- b) A veteran or spouse of a veteran receiving care for a debilitating condition at a VA hospital shall not be required to submit a written certification from a physician.
- c) A veteran or spouse of a veteran receiving care for a debilitating condition at a VA hospital shall register with the Department on the Registry Identification Card application (see Section 946.200) and shall comply with all other requirements specified in this Part.
- d) To qualify for a patient registry identification card, a qualifying patient who is a veteran or spouse of a veteran and receiving medical care and treatment at a VA hospital shall:
 - 1) Be a resident of the State of Illinois, as defined in Section 946.200(c), at the time of application and remain a resident during participation in the program;
 - 2) Have a qualifying medical condition or be diagnosed with a terminal illness;
 - 3) Provide a copy of his or her official hospital medical records requested from the VA using VA Form 10-5345. The official hospital medical records shall indicate the diagnosis of a qualifying medical condition by a licensed physician;
 - 4) Provide a copy of his or her DD214 or equivalent certified document indicating character and dates of service, or if the spouse of a veteran, a copy of the veteran's documents as described;

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- 5) Complete the fingerprint-based background check and not have been convicted of an excluded offense; and
- 6) Be at least 18 years of age.

(Source: Amended at 40 Ill. Reg. 16753, effective December 15, 2016)

Section 946.290 Renewal of Registry Identification Cards

- a) Medical cannabis registry identification cards may be valid for up to three years.
- b) If the qualifying patient or designated caregiver who applied for and received a registry identification card that was approved for a 12-month period before September 12, 2016 seeks to extend his or her registry identification card for up to three years from the original effective date, the patient or caregiver shall complete a renewal application no less than 45 days prior to the expiration date of the card. It is not necessary to provide proof of Illinois residency, obtain a physician certification or obtain a fingerprint background check. A fee is required in accordance with Section 946.210. The qualifying patient or designated caregiver may seek a renewal of the registry identification card for a period of one year or two years by paying the fee required by Section 946.210.
- c) At the end of every three-year period, no less than 45 days prior to the expiration of a registry identification card, the qualifying patient and designated caregiver, if one is indicated, may apply for a new renewal of his or her registry identification card as follows:
 - 1a) Submit a completed renewal application for the qualifying patient and designated caregiver, if one is indicated, to the Department on the required forms and include:
 - A1) One clear photocopy of a U.S. or State government-issued photo ID, such as a driver's license, as proof of identity;
 - B2) Proof of Illinois residency by meeting the requirements specified in Section 946.200(c); and

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- C3) A signed and dated written physician's certification ~~for the use of medical cannabis~~ meeting the requirements of this Part and dated not more than 90 days prior to the application renewal date. A qualifying patient who is a veteran or spouse of a veteran and receiving medical care for his or her qualifying medical condition at a VA hospital shall submit his or her official VA Medical Record instead of a written physician's certification;
- 2b) Designate the medical cannabis dispensing organization where the qualifying patient will receive his or her medical cannabis; and
- 3e) Pay the required application fee (see Section 946.210).
- d) If a qualified registered patient or designated caregiver who was issued a registry identification card for a period of one or two years after September 12, 2016 seeks to extend his or her registry identification card up to three years from the registry identification card's original effective date, he or she may complete a renewal application no less than 45 days before the expiration date. It is not necessary to provide proof of Illinois residency, obtain a physician certification or obtain a fingerprint background check. The qualifying patient or designated caregiver may seek a renewal of the registry identification card for a period of one year or two years by paying the fee required by Section 946.210.

(Source: Amended at 40 Ill. Reg. 16753, effective December 15, 2016)

SUBPART C: PHYSICIAN REQUIREMENTS

Section 946.300 Qualifications of the Certifying Physician

- a) A doctor of medicine or osteopathy who has a current, valid license under the Medical Practice Act of 1987 and has a current valid controlled substances license under Article III of the Illinois Controlled Substances Act ~~and DEA registration~~ may issue a written certification for~~recommend the use of medical cannabis to~~ a qualifying patient if the physician:
- 1) Has~~is in~~ a bona-fide physician-patient relationship with the qualifying patient. The bona-fide physician-patient relationship may not be limited to

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~~issuing a written certification for the patient to use medical cannabis or a consultation simply for that purpose.~~

- 2) Complies with generally accepted standards of medical practice, the Medical Practice Act of 1987 and applicable State and federal rules specific to physician practice (e.g., HIPAA rules).
 - 3) Has responsibility for the ongoing care and treatment of the qualifying patient's debilitating condition, provided that the ongoing treatment and care shall not be limited to or for the primary purpose of certifying a debilitating medical condition or providing a consultation solely for that purpose.
 - 4) Has completed an in-person full assessment of the patient's medical history and current medical condition, including a personal physical examination, not more than 90 days prior to making the certification for medical cannabis. The assessment of the qualifying patient's current medical condition shall include, but not be limited to, symptoms, signs and diagnostic testing related to the debilitating medical condition.
 - 5) Certifies that the qualifying patient is under the physician's care, either for the qualifying patient's primary care or for his or her debilitating medical condition or symptoms of a debilitating medical condition.
 - 6) Confirms that he or she completed an assessment for the qualifying patient's medical history, including reviewing medical records from other treating physicians from the previous 12 months.
 - 7) ~~Explains the potential risks and benefits of the medical use of cannabis to the qualifying patient.~~
- b) The physician shall not:
- 1) Except as provided in subsection (c), *accept, solicit, or offer any form of remuneration from or to a qualifying patient, primary caregiver, cultivation center, or dispensing organization, including each principal officer, board member, agent, and employee;*

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- 2) *Offer a discount or any other item of value to a qualifying patient who uses or agrees to use a particular primary caregiver or dispensing organization to obtain medical cannabis;*
 - 3) *Conduct a personal, in person, physical examination of a patient for purposes of diagnosing a debilitating medical condition at a location where medical cannabis is sold or distributed or at the address of a principal officer, agency, or employee or a medical cannabis organization;*
 - 4) *Hold a direct or indirect economic interest in a cultivation center or dispensing organization if he or she recommends the use of medical cannabis to qualified patients or is in a partnership with a physician who recommends medical cannabis;*
 - 5) *Serve on the board of directors or as an employee of a cultivation center or dispensing organization;*
 - 6) *Refer qualifying patients to a cultivation center, a dispensing organization, or an individual who seeks to become a designated caregiver;*
 - 7) *Advertise in a cultivation center or a dispensing organization. (Section 35 of the Act)*
- c) *The physician may accept payment from a qualifying patient for the fee associated with the personal physical examination required prior to issuing the written certification for the qualifying patient. (Section 35 of the Act)*

(Source: Amended at 40 Ill. Reg. 16753, effective December 15, 2016)

Section 946.310 Physician Written Certification

- a) A certification ~~confirming the patient's debilitating medical condition~~~~indicating that a qualifying patient is recommended for the use of medical cannabis~~ shall be written on a form provided by the Department and shall include, at minimum, the following:

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- 1) The qualifying patient's name, date of birth, home address and primary telephone number;
 - 2) The physician's name, address, telephone number, e-mail address, medical license number, indication of specialty or primary area of clinical practice, if any, and active controlled substances license under the Illinois Controlled Substances Act~~DEA registration number~~;
 - 3) The length of time the qualifying patient has been under the care of the physician;
 - 4) The qualifying patient's debilitating medical condition;
 - ~~5)~~ Additional comments, if necessary, that would be useful in assessing the qualifying patient's application for use of medical cannabis;
 - ~~5)6)~~ A statement that the physician has confirmed a diagnosis of a debilitating medical condition; is treating or managing treatment of the patient's debilitating condition; has a bona-fide physician-patient relationship; has conducted an in-person physical examination; has conducted a review of the patient's medical history, including reviewing medical records from other treating physicians, if any, from the previous 12 months; ~~and has explained the potential risks and benefits of the use of medical cannabis to the qualifying patient;~~ and
 - ~~6)7)~~ The physician's signature and date.
- b) The physician written certification does not constitute a prescription for medical cannabis.
- b) ~~A patient may apply for a waiver where a physician provides a substantial medical basis in a signed, written statement asserting that, based on the patient's medical history, in the physician's professional judgment, 2.5 ounces is an insufficient adequate supply for a 14 day period to properly alleviate the patient's debilitating medical condition or symptoms associated with the debilitating medical condition. (Section 10(a)(2) of the Act)~~

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- 1) ~~The waiver recommendation shall be on a Physician Waiver Recommendation form provided by the Department.~~
 - 2) ~~The waiver shall describe in the physician's professional opinion why 2.5 ounces is an insufficient supply for a 14-day period.~~
 - 3) ~~The waiver shall describe how the qualifying patient will benefit from an increased supply.~~
 - 4) ~~The waiver shall include a statement by the physician indicating the amount of medical cannabis that would be a sufficient supply for the qualifying patient's debilitating medical condition and provide a recommendation for the length of time the waiver should be in effect.~~
 - 5) ~~If the Department approves the waiver, the amount of medical cannabis recommended by the physician shall be noted on the registry identification card.~~
- c) Applications for qualifying patients under 18 years old shall require a written certification from a physician and a reviewing physician.

(Source: Amended at 40 Ill. Reg. 16753, effective December 15, 2016)

Section 946.315 Waiver for Increasing the Adequate Supply of Medical Cannabis

A patient may apply for a waiver where a physician provides a substantial medical basis in a signed, written statement asserting that, based on the patient's medical history, in the physician's professional judgment, 2.5 ounces is an insufficient adequate supply for a 14-day period to properly alleviate the patient's debilitating medical condition or symptoms associated with the debilitating medical condition. (Section 10(a)(2) of the Act)

- a) The waiver recommendation shall be on a form provided by the Department. The waiver recommendation shall be completed by the physician who issued the physician certification for the registered qualifying patient.
- b) The waiver shall describe in the physician's professional opinion why 2.5 ounces is an insufficient adequate supply for a 14-day period.

DEPARTMENT OF PUBLIC HEALTH

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- c) The waiver shall describe how the qualifying patient will benefit from an increased supply.
- d) The waiver shall include a statement by the physician indicating the amount of medical cannabis that would be a sufficient supply for the qualifying patient's debilitating medical condition.
- e) If the Department approves the waiver, the amount of medical cannabis recommended by the physician shall be noted on the registry identification card.
- f) The waiver recommendation does not constitute a prescription for medical cannabis.

(Source: Amended at 40 Ill. Reg. 16753, effective December 15, 2016)

SUBPART E: ENFORCEMENT

Section 946.500 Circuit Court Review

- a) *Denial of an application or renewal is considered a final Department action, subject to judicial review. Jurisdiction and venue for judicial review are vested in the Circuit Court. (Section 65 of the Act)*
- b) *The suspension or revocation of a registration is a final Department action, subject to judicial review. Jurisdiction and venue for judicial review are vested in the Circuit Court. (Section 185 of the Act)*
- c) *The approval or denial of any petition pursuant to Section 946.30 is a final decision of the Department, subject to judicial review. Jurisdiction and venue are vested in the Circuit Court. (Section 45 of the Act)*
- d) *All final administrative decisions of the Department of Public Health are subject to direct judicial review under the provisions of the Administrative Review Law and the rules adopted under that Law. The term "administrative decision" is defined as in Section 3-101 of the Code of Civil Procedure. (Section 155 of the Act)*

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- e) If any final Department action is appealed in Circuit Court pursuant to this Section, the record on review shall include the following:
- 1) The application or petition submitted;
 - 2) Any written documentation considered by the Department in making its final decision with respect to the application or petition. ~~With respect to petitions for the addition of a medical condition or disease as referenced in Section 946.30, the record on review shall include:~~
 - A) ~~Any written report made by the Medical Cannabis Advisory Board to the Department, to the extent that the report actually materially discusses the medical condition or disease proposed in the petition;~~
 - B) ~~Any public minutes of an Advisory Board meeting at which the medical condition or disease proposed in the petition is materially discussed;~~
 - C) ~~Any statement of intent to present technical evidence, as referenced in Section 946.30(k), to the extent that the technical evidence relates to the medical condition or disease proposed in the petition;~~
 - 3) Any written correspondence between the Department and the person submitting the application or petition, provided that the correspondence either played a material role in the final decision rendered by the Department; made a material argument to the Department with respect to the application or petition; or would be helpful to the Circuit Court in reviewing the matter because the correspondence provides helpful procedural background.
- f) If the materials in the record on review contain any confidential information as defined in Section ~~946.60~~946.80, either the information shall be redacted, as appropriate, or the entirety or portions of the record on review shall be filed under seal so as to retain the confidentiality of, without limitation, patient medical records or Departmental documents or data.

(Source: Amended at 40 Ill. Reg. 16753, effective December 15, 2016)

OFFICE OF THE TREASURER

NOTICE OF ADOPTED AMENDMENT

- 1) Heading of the Part: Uniform Disposition of Unclaimed Property Act
- 2) Code Citation: 74 Ill. Adm. Code 760
- 3) Section Number: 760.100 Adopted Action:
Amendment
- 4) Statutory Authority: 765 ILCS 1025/26
- 5) Effective Date of Rule: December 19, 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 is on file in the State Treasurer's office at 219 State House, Springfield IL 62706 and is available for public inspection.
- 9) Notice of Proposal published in the *Illinois Register*: 40 Ill. Reg. 13538; September 30, 2016
- 10) Has JCAR issued a Statement of Objection to this rulemaking? No
- 11) Difference between Proposal and Final Version: A reference to subsection(c)(5) was added to Section 760.100(a) in order to provide clarity.
- 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 rulemaking replace an emergency rulemaking currently in effect? No
- 14) Are there any rulemakings pending on this Part? No
- 15) Summary and Purpose of Rulemaking: These changes to the Part are intended to simplify and expedite the claims process to account for new technologies and allow online claims by apparent owners for smaller value properties.
- 16) Information and questions regarding this adopted rule shall be directed to:

OFFICE OF THE TREASURER

NOTICE OF ADOPTED AMENDMENT

G. Allen Mayer
Deputy General Counsel
Illinois State Treasurer
219 State House
Springfield IL 62706

217/557-2673

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

OFFICE OF THE TREASURER

NOTICE OF ADOPTED AMENDMENT

TITLE 74: PUBLIC FINANCE
CHAPTER V: TREASURERPART 760
UNIFORM DISPOSITION OF UNCLAIMED PROPERTY ACT

Section	
760.10	Definitions
760.15	Presumption of Abandonment
760.20	Negative Reports
760.21	Reporting
760.22	Format/Form of Reports
760.24	Incomplete/Inaccurate Report or Remittance
760.25	Filing Extensions
760.30	Safe Deposit Boxes
760.35	Due Diligence
760.40	Cost of Mailing
760.50	Nominee and Street Name Property
760.60	Lawful Charges
760.70	Discontinuance of Interest or Dividends
760.80	Statute of Limitations (Repealed)
760.85	Situs
760.89	Fees
760.90	Examination of Property Holders
760.92	Remittance of Securities and Commodities
760.94	Receipt and Sale of Securities and Commodities
760.95	Examination Gap
760.100	Claims
760.110	Hearings on Claims
760.115	Non-Claim Hearings

AUTHORITY: Implementing and authorized by Section 26 of the Uniform Disposition of Unclaimed Property Act [765 ILCS 1025/26].

SOURCE: Filed November 20, 1977; emergency amendment at 3 Ill. Reg. 39, p. 225, effective September 14, 1979, for a maximum of 150 days; amended at 3 Ill. Reg. 48, p. 153, effective November 20, 1979; rules repealed, new rules adopted and codified at 8 Ill. Reg. 1464, effective January 18, 1984; amended at 15 Ill. Reg. 8555, effective May 24, 1991; amended at 17 Ill. Reg.

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123, effective December 21, 1992; emergency amendment at 17 Ill. Reg. 6321, effective April 6, 1993; amended at 17 Ill. Reg. 9893, effective June 21, 1993; amended at 18 Ill. Reg. 18001, effective December 12, 1994; amended at 20 Ill. Reg. 8325, effective June 8, 1996; recodified from the Department of Financial Institutions (38 Ill. Adm. Code 180) to the State Treasurer, pursuant to PA 91-16, at 26 Ill. Reg. 8164; emergency amendment at 28 Ill. Reg. 13919, effective October 5, 2004, for a maximum of 150 days; emergency expired March 3, 2005; amended at 36 Ill. Reg. 12162, effective July 12, 2012; amended at 37 Ill. Reg. 5886, effective April 18, 2013; amended at 40 Ill. Reg. 16804, effective December 19, 2016.

Section 760.100 Claims

- a) In General
Any person claiming an interest in any property delivered to the State under the Act may file a claim to that interest or to the proceeds from the sale of the property on the form prescribed by the State Treasurer and that is available on the Treasurer's website at <https://icash.illinoistreasurer.gov/> [765 ILCS 1025/19]. Any claim of an interest in property that is filed pursuant to the Act shall be considered and a finding and decision shall be issued by the Office of the State Treasurer in a timely and expeditious manner [765 ILCS 1025/20(a)] (see subsection (c)(5)).
- b) Burden of Proof
The Treasurer is the custodian for property delivered to the State under the Act and is responsible for the safekeeping of that property [765 ILCS 1025/14]. Therefore, any person who files a claim for any property held by the Treasurer pursuant to the Act shall bear the burden of proof in establishing that person is the lawful owner of the property or an interest in the property. The Office of the State Treasurer will release the property to a claimant only after the person establishes his or her ownership of the property or an interest in the property by a preponderance of the evidence.
- c) Filing of Claims
- 1) Claimants may file claims with the Office of the State Treasurer as provided in this Section, either in writing on forms prescribed by the Treasurer or through completion of an internet form on the Treasurer's website. Claims shall be verified or signed by the claimant under penalty of perjury. Claims shall be prepared and filed only on the following forms,

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~~provided by the State Treasurer upon request:~~

- ~~A) Owner Claim Form;~~
- ~~B) Owner Indemnification Form;~~
- ~~C) Holder Claim Form;~~
- ~~D) Corporate Claim Form;~~
- ~~E) Heir/Other Claim Form; or~~
- ~~F) Small Estate Affidavit.~~

- 2) The claimant shall assert on the appropriate form that he or she is the true owner of the unclaimed property and agrees to indemnify and hold harmless the Treasurer, its officers and employees, and the State of Illinois in the event of a successful claim to the property by another claimant.
- 3) If the subject property is valued at more than ~~\$500+00~~, the signatures of the claimants shall be notarized by a notary public or be guaranteed by an officer of a bank or financial institution with which the claimants currently do business.
- 4) If a claimant is the owner and the value of the property does not exceed \$500, a fully completed owner claim form and owner indemnification form, submitted to the Treasurer either in writing or through completion of an internet form on the Treasurer's website, will be accepted as prima facie evidence of validity of the claim-"proof of claim", unless the Office of the State Treasurer has facts within its knowledge that would tend to rebut the claim.
- 5) A claim will be considered complete when a claimant has provided all the information and documentation requested by the Treasurer as necessary to establish legal ownership and such information or documentation is entered into the Treasurer's unclaimed property system. Unless extended for reasonable cause, the Treasurer shall issue a decision no more than 90 days after a claim is complete. If a claimant fails to provide all the

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information and documentation requested by the Treasurer as necessary to establish legal ownership of the property and the claim is inactive for at least 90 days, then the Treasurer may close the claim without issuing a final decision. However, if the claimant makes a request in writing for a final decision prior to the Treasurer's closing of the claim, the Treasurer shall issue a final decision. If, after a claim is closed, a claimant subsequently provides additional information or documentation concerning the same property, the Treasurer shall open a new claim and shall incorporate by reference all information and documentation provided for the closed claim.

- 65) If the subject property is a two-party check, the claimant must, in addition to submitting a fully completed claim form:
- A) submit the original check; or
 - B) submit verification in the form of an affidavit from the issuing agent of the check that the claimant is the true owner of the check and the issuing agent would pay the value of the check to the claimant if the issuing agent had not remitted the funds to the ~~Treasurer~~Director; or
 - C) post a surety bond, issued by an insurance company with an A+ or A rating by A.M. Best and Company, in the amount of the check; however, if the amount of the two-party check is \$500 or less, the original check is missing or has been destroyed, and the issuing agent of the check no longer has sufficient records to identify the legal owner of the check, the Treasurer shall waive the requirement of posting a surety bond unless the Office of the State Treasurer has facts within its knowledge that would tend to rebut the claim;
or
 - D) submit a release of interest executed by all persons not claiming the property; or
 - E) submit an indemnification form if:
 - i) the original check is missing or has been destroyed;

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- ii) incomplete information was reported by the holder and is no longer obtainable; and
- iii) the amount of the two-party check is \$500 or less.

db) Assignment of Interest

The Treasurer shall consider the claim of a designee or attorney-in-fact of any claimant, provided that:

- 1) a properly executed and notarized release of interest or power of attorney is submitted with the claim form;
- 2) the person filing the claim has submitted an affidavit stating that the claimant is the true owner of the property;
- 3) claim proceeds shall only be delivered to the rightful owner; and
- 4) no person or company shall be entitled to a fee for discovering presumptively abandoned property until it has been in the custody of the Treasurer for at least 24 months. Fees for discovering property that has been in the custody of the Treasurer for more than 24 months shall be limited to not more than 10% of the amount collected. [765 ILCS 1025/20(c)]~~compensation shall not exceed 10% of the claim amount collected, except as provided by Section 20(e) of the Act.~~

(Source: Amended at 40 Ill. Reg. 16804, effective December 19, 2016)

ILLINOIS STUDENT ASSISTANCE COMMISSION

NOTICE OF ADOPTED AMENDMENT

- 1) Heading of the Part: Illinois Prepaid Tuition Program
- 2) Code Citation: 23 Ill. Adm. Code 2775
- 3) Section Number: 2775.20 Adopted Action:
Amendment
- 4) Statutory Authority: Implementing the Illinois Prepaid Tuition Act [110 ILCS 979] and authorized by Section 20(f) of the Higher Education Student Assistance Act [110 ILCS 947/20(f)]
- 5) Effective Date of Rule: 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 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. 12942; September 9, 2016
- 10) Has JCAR issued a Statement of Objection to this rulemaking? No
- 11) Differences between Proposed and Final Version: ISAC became aware of a conflict regarding state residency between Section 10 and Section 25(2) of the Illinois Prepaid Tuition Act [110 ILCS 979]. In order to resolve the conflict, section 2775.30 was removed.
- 12) Have all the changes agreed upon by the Agency and JCAR been made as indicated in the agreement letter issued by JCAR? No agreement letter was issued.
- 13) Will this rulemaking replace an emergency rule currently in effect? Yes
- 14) Are there any rulemakings pending on this Part? No

ILLINOIS STUDENT ASSISTANCE COMMISSION

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- 15) Summary and purpose of Rulemaking: PA 99-842 (the Act) modified the definition for "eligible institution" expanding the list of eligible institutions for the College Illinois! 529 Prepaid Tuition Program to include all schools that are considered eligible educational institutions under Section 529 of the federal Internal Revenue Code. Contract holders will benefit from slightly increased flexibility in where they can use their benefits and program administration will be streamlined.
- 16) Information and questions regarding the adopted rule shall be directed to:

Lynn Hynes
Agency Rules Coordinator
Illinois Student Assistance Commission
1755 Lake Cook Road
Deerfield IL 60015

847/948-8500, ext. 18032
email: lynn.hynes@isac.illinois.gov

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

ILLINOIS STUDENT ASSISTANCE COMMISSION

NOTICE OF ADOPTED AMENDMENT

TITLE 23: EDUCATION AND CULTURAL RESOURCES
SUBTITLE A: EDUCATION
CHAPTER XIX: ILLINOIS STUDENT ASSISTANCE COMMISSIONPART 2775
ILLINOIS PREPAID TUITION PROGRAM

Section

2775.10	Summary and Purpose
2775.20	Definitions
2775.30	Participant Eligibility
2775.40	Program Procedures
2775.50	Contract Terms and Conditions
2775.60	Scholarships, Grants or Monetary Assistance
2775.70	Disclosure
2775.80	Investment Services Procurement

AUTHORITY: Implementing the Illinois Prepaid Tuition Act [110 ILCS 979] and authorized by Section 20(f) of the Higher Education Student Assistance Act [110 ILCS 947/20(f)].

SOURCE: Adopted by emergency rulemaking at 22 Ill. Reg. 16652, effective September 11, 1998, for a maximum of 150 days; adopted at 23 Ill. Reg. 2591, effective February 1, 1999; amended at 24 Ill. Reg. 9154, effective July 1, 2000; amended at 25 Ill. Reg. 8410, effective July 1, 2001; amended at 26 Ill. Reg. 10043, effective July 1, 2002; amended at 28 Ill. Reg. 9177, effective July 1, 2004; amended at 29 Ill. Reg. 9954, effective July 1, 2005; amended at 32 Ill. Reg. 10349, effective July 1, 2008; amended at 35 Ill. Reg. 3538, effective February 16, 2011; amended at 36 Ill. Reg. 9444, effective July 1, 2012; amended at 37 Ill. Reg. 9554, effective July 1, 2013; amended at 39 Ill. Reg. 9588, effective July 1, 2015; emergency amendment at 40 Ill. Reg. 13029, effective August 29, 2016, for a maximum of 150 days; amended at 40 Ill. Reg. 16811, effective January 1, 2017.

Section 2775.20 Definitions

"Code" – The Illinois Pension Code [40 ILCS 5].

"Consultant" – The independent investment consulting firm or firms contractually engaged by the Program to provide general or specialty investment consulting services for the prudent administration of the Program's investment portfolio as a

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fiduciary to the Fund.

"Custodian" – Pursuant to Section 35 of the Illinois Prepaid Tuition Act [110 ILCS 979], the investment custody service provider responsible for safekeeping of assets, trade processing and asset servicing, which includes a fiduciary obligation to the Fund.

"Eligible Institution" – An eligible educational institution as defined in section 529 of the federal Internal Revenue Code of 1986 (26 USC 529) and any regulations under that section.~~A public institution of higher education, or a nonpublic institution of higher education whose students are eligible to receive benefits under section 529(a) of the Internal Revenue Code of 1986, as specified by the federal Small Business Act of 1996 and subsequent amendments to this federal law, and that provides a minimum of an organized two-year degree program at the postsecondary level, or a program in health education directly applicable toward the attainment of a certificate, diploma or associate degree. The institution must maintain an accredited status with an accrediting agency recognized by the U.S. Department of Education for the purpose of establishing eligibility to participate in federal student assistance programs administered by the Department under Title IV of the Higher Education Act of 1965, as amended (20 USC 1070 et seq.), and, if the institution is for profit, must enroll a majority of its students in degree programs that it is legally authorized to offer by the appropriate agency in the state in which the institution is located.~~

"Fiduciary" or "Fiduciaries" – A person or entity is a fiduciary with respect to the Fund to the extent that the person or entity:

exercises any discretionary authority or discretionary control respecting management or disposition of its assets;

renders investment advice or renders advice on the selection of fiduciaries for a fee or other compensation, direct or indirect, with respect to any moneys or other property of the Fund, or has any authority or responsibility to do so; or

has any discretionary authority or discretionary responsibility in the administration of the Fund.

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"Fund" – The Illinois Prepaid Tuition Trust Fund.

"Illinois Community College" – A public community college as defined in Section 1-2 of the Public Community College Act [110 ILCS 805].

"Illinois Prepaid Tuition Contract" or "Contract" – A contract entered into between the Illinois Student Assistance Commission, on behalf of the State of Illinois, and a purchaser under Section 45 of the Illinois Prepaid Tuition Act [110 ILCS 979] to provide for the higher education of a qualified beneficiary.

"Illinois Prepaid Tuition Program" or "Program" – The college savings and investment program created in Section 15 of the Illinois Prepaid Tuition Act.

"Illinois Prepaid Tuition Trust Fund" – The repository of all moneys received by the Commission, including all contributions, appropriations, interest and dividend payments, gifts, or other financial assets received in connection with operation of the Illinois Prepaid Tuition Program.

"Illinois Public University" – Any campus of: the University of Illinois, Illinois State University, Chicago State University, Governors State University, Southern Illinois University, Northern Illinois University, Eastern Illinois University, Western Illinois University or Northeastern Illinois University.

"Investment Advisor" or "Investment Manager" – A fiduciary appointed by the Commission to manage a portion of the Fund's assets or a fiduciary to a limited partnership or commingled fund in which the Fund is an investor.

"Investment Committee" – A subcommittee of the Commission consisting of at least three members of the Commission with knowledge of investing.

"Investment Services" – Investment Manager, Consultant and Custodian services or similar services.

"Manager Database" – An industry database containing information regarding institutional quality investment management firms. The database is used to identify, screen and evaluate Investment Manager candidates. The database may be provided and maintained by the Consultant or by a third-party firm approved by the Consultant.

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"Member of the Family" or "Immediate Family" – Member of the family, as defined in the Internal Revenue Code, section 529(e)(2), as amended, means an individual who bears a relationship to a qualified beneficiary as follows: son or daughter, or a descendant of either; stepson or stepdaughter; brother, sister, stepbrother, stepsister, half-brother, or half-sister; father or mother or an ancestor of either; stepfather or stepmother; son or daughter of a brother or sister; brother or sister of the father or mother; son-in-law, daughter-in-law, father-in-law, mother-in-law, brother-in-law or sister-in-law, ~~or~~ the spouse of any of ~~these~~~~the~~ ~~above~~; the spouse; or any first cousin. In determining whether any of these relationships exist, a legally adopted child of an individual shall be treated as a child of ~~that~~~~such~~ individual by blood.

"Minority Person", "female", "person with a disability", "minority owned business", "female owned business", "business owned by a person with a disability" – All have the ~~same~~-meaning ~~as~~-ascribed in the Business Enterprise for Minorities, Females, and Persons with Disabilities Act [30 ILCS 575].

"Nonpublic Institution of Higher Education" – An eligible institution, other than a public institution of higher education.

"Private Market Fund" – Any private equity fund, private equity fund of funds, venture capital fund, hedge fund, hedge fund of funds, real estate fund, or other investment vehicle that is not publicly traded.

"Program" – The Illinois Prepaid Tuition Program.

"Public Institution of Higher Education" – An Illinois public university or Illinois community college.

"Purchaser" – Any person that has contracted to make payments under an Illinois prepaid tuition contract in accordance with State and federal laws.

"Qualified Beneficiary" – An individual designated as the recipient of the benefits of a prepaid tuition contract, provided he/she: has been a resident of this State for at least 12 months prior to the date of the application; or is a nonresident, so long as the purchaser has been a resident of the State for at least 12 months prior to the date of the application; or is less than one year of age and whose parent or legal

ILLINOIS STUDENT ASSISTANCE COMMISSION

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guardian has been a resident of the State for at least 12 months prior to the date of the application.

"Registration Fees" – The charges derived by combining tuition and mandatory fees.

"Staff" – The professional investment staff of the Program.

(Source: Amended at 40 Ill. Reg. 16811, effective January 1, 2017)

JOINT COMMITTEE ON ADMINISTRATIVE RULES
ILLINOIS GENERAL ASSEMBLY

SECOND NOTICES RECEIVED

The following second notices were received during the period of December 13, 2016 through December 19, 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>
1/28/17	<u>Department of Public Health</u> , Control of Sexually Transmissible Infections Code (77 Ill. Adm. Code 693)	10/14/16 40 Ill. Reg. 14020	1/10/17
1/28/17	<u>Illinois Gaming Board</u> , Video Gaming (General) (11 Ill. Adm. Code 1800)	9/23/16 40 Ill. Reg. 13299	1/10/17

ILLINOIS GENERAL ASSEMBLY

STATEMENT OF OBJECTION
TO PROPOSED RULE

STATE POLICE MERIT BOARD

Heading of the Part: Illinois State Police Merit Board Personnel Rules

Code Citation: 80 Ill. Adm. Code 160

Section Numbers:

160.100	160.170	160.240
160.110	160.180	160.250
160.120	160.190	160.260
160.130	160.200	160.270
160.140	160.210	160.280
160.150	160.220	160.290
160.160	160.230	160.300
160.310		
160.320		

Date Originally Published in the *Illinois Register*: 7/8/16
40 Ill. Reg. 9092

At its meeting on 12/13/16, the Joint Committee on Administrative Rules objected to the above-referenced rulemaking because the Board lacks clear statutory authority to establish personnel policy and rules independent of the Personnel Code [20 ILCS 415].

Failure of the agency to respond within 90 days after receipt of the Statement of Objection shall constitute withdrawal of this proposed rulemaking. The agency's response will be placed on the JCAR agenda for further consideration.

DEPARTMENT OF NATURAL RESOURCES

JANUARY 2017 REGULATORY AGENDA

- a) Part (Heading and Code Citation): Public Use of State Parks and Other Properties of the Department of Natural Resources (17 Ill. Adm. Code 110)

1) Rulemaking:

- A) Description: This Part will be amended to change a number of provisions that address fee generation, boat usage, trail usage and other provisions.
- B) Statutory Authority: Implementing and authorized by Section 8 of the State Forest Act [525 ILCS 40/8] and by Sections 1, 2, 4 and 6 of the State Parks Act [20 ILCS 835/1, 2, 4 and 6] and by Section 5 of the State Parks Designation Act [20 ILCS 840/5] and by Sections 805-10, 805-520, 805-525, 805-330, 805-335 and 805-515 of the Civil Administrative Code of Illinois [20 ILCS 805/805-10, 805-520, 805-525, 805-330, 805-335 and 805-515].
- C) Scheduled meeting/hearing dates: None
- D) Date Agency anticipates First Notice: February 2017
- E) Effect on small businesses, small municipalities or not-for-profit corporations: None
- F) Agency contact person for information:

Anne Mergen, Legal Counsel
One Natural Resources Way
Springfield IL 62702-1271

217/782-1809
- G) Related rulemakings and other pertinent information: None

- b) Part (Heading and Code Citation): General hunting and Trapping on Department-Owned or -Managed Sites (17 Ill. Adm. Code 510)

1) Rulemaking:

DEPARTMENT OF NATURAL RESOURCES

JANUARY 2017 REGULATORY AGENDA

- A) Description: This Part will be amended to include updates to the list of State-owned or -managed sites open for hunting and updates to site-specific regulations at these sites.
- B) Statutory Authority: Implementing and authorized by Sections 1.2, 1.3, 1.4, 1.13, 1.20, 2.1, 2.2, 2.6, 2.7, 2.9, 2.13, 2.18, 2.20, 2.24, 2.25, 2.26, 2.27, 2.28, 2.30, 2.33 and 3.5 of the Wildlife Code [520 ILCS 5/1.2, 1.3, 1.4, 1.13, 1.20, 2.1, 2.2, 2.6, 2.7, 2.9, 2.13, 2.18, 2.20, 2.24, 2.25, 2.26, 2.27, 2.28, 2.30, 2.33 and 3.5] and by Section 805-515 of the Civil Administrative Code of Illinois [20 ILCS 805/805-515].
- C) Scheduled meeting/hearing dates: None
- D) Date Agency anticipates First Notice: February 2017
- E) Effect on small businesses, small municipalities or not-for-profit corporations: None
- F) Agency contact person for information:
- Anne Mergen, Legal Counsel
One Natural Resources Way
Springfield IL 62702-1271
- 217/782-1809
- G) Related rulemakings and other pertinent information: None
- c) Part (Heading and Code Citation): Nuisance Wildlife Control Permits (17 Ill. Adm. Code 525)
- 1) Rulemaking:
- A) Description: This Part will be amended to bring agency rules in line with federal requirements and new practices.
- B) Statutory Authority: Implementing and authorized by Section 2.37 of the Wildlife Code [520 ILCS 5/2.37].

DEPARTMENT OF NATURAL RESOURCES

JANUARY 2017 REGULATORY AGENDA

- C) Scheduled meeting/hearing dates: None
- D) Date Agency anticipates First Notice: January 2017
- E) Effect on small businesses, small municipalities or not-for-profit corporations: Requirements to be considered nuisance wildlife control permittee. Application and testing to be done.
- F) Agency contact person for information:

Dan Nelson, Legal Counsel
One Natural Resources Way
Springfield IL 62702-1271

217/782-1809

- G) Related rulemakings and other pertinent information: None

d) Part (Heading and Code Citation): Landowner Permits (17 Ill. Adm. Code 528)

1) Rulemaking:

- A) Description: This Part is being proposed to streamline the landowner permit process.
- B) Statutory Authority: Implementing and authorized by Sections 2.11 and 2.26 of the Wildlife Code [520 ILCS 5/2.11 and 2.26]
- C) Scheduled meeting/hearing dates: None
- D) Date Agency anticipates First Notice: January 2017
- E) Effect on small businesses, small municipalities or not-for-profit corporations: None
- F) Agency contact person for information:

Anne Mergen, Legal Counsel
One Natural Resources Way

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G) Related rulemakings and other pertinent information: Nonee) Part (Heading and Code Citation): Cock Pheasant, Hungarian Partridge, Bobwhite Quail and Rabbit Hunting (17 Ill. Adm. Code 530)1) Rulemaking:A) Description: This Part will be amended to include updates to the list of State-owned or -managed sites open for hunting and updates to site-specific regulations at these sites.B) Statutory Authority: Implementing and authorized by Sections 1.3, 1.4, 1.13, 2.1, 2.2, 2.6, 2.7, 2.13, 2.27, 2.30, 2.33, 3.5, 3.27, 3.28 and 3.29 of the Wildlife Code [520 ILCS 5/1.3, 1.4, 1.13, 2.1, 2.2, 2.6, 2.7, 2.13, 2.27, 2.30, 2.33, 3.5, 3.27, 3.28 and 3.29].C) Scheduled meeting/hearing dates: NoneD) Date Agency anticipates First Notice: February 2017E) Effect on small businesses, small municipalities or not-for-profit corporations: NoneF) Agency contact person for information:Anne Mergen, Legal Counsel
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Springfield IL 62702-1271

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G) Related rulemakings and other pertinent information: Nonef) Part (Heading and Code Citation): Raccoon, Opossum, Striped Skunk, Red Fox, Gray Fox, Coyote, Bobcat and Woodchuck (Groundhog) Hunting (17 Ill. Adm. Code 550)

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- 1) Rulemaking:
 - A) Description: This Part will be amended to set zones, seasons, limits, and permit and tagging requirements for bobcat hunting; implement provisions of PA 99-33; add hunting programs at IDNR sites; and amend procedures at other state sites.
 - B) Statutory Authority: Implementing and authorized by Sections 1.3, 1.4, 1.13, 2.1, 2.2, 2.6, 2.7, 2.30, 2.33, 3.5, 3.27, 3.28 and 3.29 of the Wildlife Code [520 ILCS 5/1.3, 1.4, 1.13, 2.1, 2.2, 2.6, 2.7, 2.30, 2.33, 3.5, 3.27, 3.28 and 3.29].
 - C) Scheduled meeting/hearing dates: None
 - D) Date Agency anticipates First Notice: February 2017
 - E) Effect on small businesses, small municipalities or not-for-profit corporations: None
 - F) Agency contact person for information:

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 - G) Related rulemakings and other pertinent information: None
- g) Part (Heading and Code Citation): Muskrat, Mink, Raccoon, Opossum, Striped Skunk, Weasel, Red Fox, Gray Fox, Coyote, Badger, River Otter, Beaver, Bobcat and Woodchuck (Groundhog) Trapping (17 Ill. Adm. Code 570)
 - 1) Rulemaking:
 - A) Description: This Part will be amended to set zones, seasons, limits, and permit and tagging requirements for bobcat trapping; implement provisions of PA 99-33; add trapping program at IDNR sites; and amend

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procedures at other sites, including use of guns to kill trapped animals during the firearm deer season (in accordance with PA 98-924).

- B) Statutory Authority: Implementing and authorized by Sections 1.2, 1.3, 2.30, 2.33 and 3.5 of the Wildlife Code [520 ILCS 5/1.2, 1.3, 2.30, 2.33 and 3.5].
- C) Scheduled meeting/hearing dates: None
- D) Date Agency anticipates First Notice: January 2017
- E) Effect on small businesses, small municipalities or not-for-profit corporations: None
- F) Agency contact person for information:

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- G) Related rulemakings and other pertinent information: None

h) Part (Heading and Code Citation): Duck, Goose and Coot Hunting (17 Ill. Adm. Code 590)

1) Rulemaking:

- A) Description: This Part will be amended to make statewide program changes, open and close state-owned or -managed sites, and amend procedures at these sites.
- B) Statutory Authority: Implementing and authorized by Sections 1.3, 1.4, 1.13, 2.1, 2.2, 2.18, 2.19, 2.20, 2.23, 2.33, 3.5, 3.6, 3.7 and 3.8 of the Wildlife Code [520 ILCS 5/1.3, 1.4, 1.13, 2.1, 2.2, 2.18, 2.19, 2.20, 2.23, 2.33, 3.5, 3.6 and 3.8] and Migratory Bird Hunting (50 CFR 20).
- C) Scheduled meeting/hearing dates: None

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- D) Date Agency anticipates First Notice: February 2017
- E) Effect on small businesses, small municipalities or not-for-profit corporations: None
- F) Agency contact person for information:

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- G) Related rulemakings and other pertinent information: None

i) Part (Heading and Code Citation): Outfitter Regulations (17 Ill. Adm. Code 640)

1) Rulemaking:

- A) Description: This Part is being amended to clarify those who do and do not need to apply for an outfitter license.
- B) Statutory Authority: Implementing and authorized by Sections 2.9, 2.10, 2.11, 2.24, 2.25, 2.26 and 3.1-3 of the Wildlife Code [520 ILCS 5/2.9, 2.10, 2.11, 2.24, 2.25, 2.26 and 3.1-3].
- C) Scheduled meeting/hearing dates: None
- D) Date Agency anticipates First Notice: March 2017
- E) Effect on small businesses, small municipalities or not-for-profit corporations: This amendment will ease the burden for some outfitters to 1) no longer need an outfitters license, or 2) loosen paperwork requirements.
- F) Agency contact person for information:

Renee Snow, Legal Counsel

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G) Related rulemakings and other pertinent information:

j) Part (Heading and Code Citation): White-Tailed Deer Hunting By Use of Firearms (17 Ill. Adm. Code 650)

1) Rulemaking:

A) Description: This Part will be amended to include updating open seasons and counties, sites and site-specific information, hunting regulations, permit requirements and harvest reporting requirements.

B) Statutory Authority: Implementing and authorized by Sections 1.3, 1.4, 1.13, 2.20, 2.24, 2.25, 2.26, 2.33 and 3.36 of the Wildlife Code [520 ILCS 5/1.3, 1.4, 1.13, 2.20, 2.24, 2.25, 2.26, 2.33 and 3.36].

C) Scheduled meeting/hearing dates: None

D) Date Agency anticipates First Notice: January 2017

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

F) Agency contact person for information:

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G) Related rulemakings and other pertinent information:

k) Part (Heading and Code Citation): White-Tailed Deer Hunting by Use of Muzzleloading Rifles (17 Ill. Adm. Code 660)

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1) Rulemaking:

- A) Description: This Part will be amended to include updating open seasons and counties, sites and site-specific information, hunting regulations, permit requirements and harvest reporting requirements.
- B) Statutory Authority: Implementing and authorized by Sections 1.3, 1.4, 1.13, 2.24, 2.25, 2.26, 2.33 and 3.36 of the Wildlife Code [520 ILCS 5/1.3, 1.4, 1.13, 2.24, 2.25, 2.26, 2.33 and 3.36].
- C) Scheduled meeting/hearing dates: None
- D) Date Agency anticipates First Notice: January 2017
- E) Effect on small businesses, small municipalities or not-for-profit corporations: None
- F) Agency contact person for information:

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- G) Related rulemakings and other pertinent information: None

1) Part (Heading and Code Citation): White-Tailed Deer Hunting by Use of Bow and Arrow (17 Ill. Adm. Code 670)1) Rulemaking:

- A) Description: This Part will be amended to include updating open seasons and counties, sites and site-specific information, hunting regulations, permit requirements and harvest reporting requirements.

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- B) Statutory Authority: Implementing and authorized by Sections 1.2, 1.3, 1.4, 2.1, 2.2, 2.24, 2.25, 2.26, 2.33 3.5 and 3.36 of the Wildlife Code [520 ILCS 5/1.2, 1.3, 1.4, 2.1, 2.2, 2.24, 2.25, 2.26, 2.33, 3.5 and 3.36].
- C) Scheduled meeting/hearing dates: None
- D) Date Agency anticipates First Notice: January 2017
- E) Effect on small businesses, small municipalities or not-for-profit corporations: None
- F) Agency contact person for information:
- Dan Nelson, Legal Counsel
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Springfield IL 62702-1271
- 217/782-1809
- G) Related rulemakings and other pertinent information: None
- m) Part (Heading and Code Citation): Special White-Tailed Deer Season for Disease Control (17 Ill. Adm. Code 675)
- 1) Rulemaking:
- A) Description: This Part will be amended to include updating open seasons and counties, sites and site-specific information, hunting regulations, permit requirements and harvest reporting requirements.
- B) Statutory Authority: Implementing and authorized by Sections 1.2, 1.3, 1.4, 2.1, 2.2, 2.24, 2.25, 2.26, 2.33 3.5 and 3.36 of the Wildlife Code [520 ILCS 5/1.2, 1.3, 1.4, 2.1, 2.2, 2.24, 2.25, 2.26, 2.33, 3.5 and 3.36].
- C) Scheduled meeting/hearing dates: None
- D) Date Agency anticipates First Notice: January 2017

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

F) Agency contact person for information:

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G) Related rulemakings and other pertinent information: None

n) Part (Heading and Code Citation): Late-Winter Deer Hunting Season (17 Ill. Adm. Code 680)

1) Rulemaking:

A) Description: This Part will be amended to include updating Statewide requirements, permit requirements and hunting regulations.

B) Statutory Authority: Implementing and authorized by Sections 1.3, 1.4, 1.13, 2.24, 2.25, 2.26 and 3.36 of the Wildlife Code [520 ILCS 5/1.3, 1.4, 1.13, 2.24, 2.25, 2.26 and 3.36].

C) Scheduled meeting/hearing dates: None

D) Date Agency anticipates First Notice: January 2017

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

F) Agency contact person for information:

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G) Related rulemakings and other pertinent information: None

o) Part (Heading and Code Citation): Youth Hunting Seasons (17 Ill. Adm. Code 685)

1) Rulemaking:

A) Description: This Part will be amended to update the list of State-owned or -managed sites open for hunting and update site-specific regulations at these sites.

B) Statutory Authority: Implementing and authorized by Sections 1.3, 1.4, 2.24, 2.25, 2.26 and 3.36 of the Wildlife Code [520 ILCS 5/1.3, 1.4, 2.24, 2.25, 2.26 and 3.36].

C) Scheduled meeting/hearing dates: None

D) Date Agency anticipates First Notice: January 2017

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

F) Agency contact person for information:

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G) Related rulemakings and other pertinent information: None

p) Part (Heading and Code Citation): Squirrel Hunting (17 Ill. Adm. Code 690)

1) Rulemaking:

A) Description: This Part will be amended to include updates to the list of State-owned or -managed sites open for hunting and updates to site-specific regulations at these sites.

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- B) Statutory Authority: Implementing and authorized by Sections 1.2, 1.3, 1.4, 2.1, 2.2, 2.28 and 3.5 of the Wildlife Code [520 ILCS 5/1.2, 1.3, 1.4, 2.1, 2.2, 2.28 and 3.5].
- C) Scheduled meeting/hearing dates: None
- D) Date Agency anticipates First Notice: January 2017
- E) Effect on small businesses, small municipalities or not-for-profit corporations: None
- F) Agency contact person for information:

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- G) Related rulemakings and other pertinent information: None

q) Part (Heading and Code Citation): The Taking of Wild Turkeys – Spring Season (17 Ill. Adm. Code 710)

1) Rulemaking:

- A) Description: This Part will be amended to update the list of State-owned or –managed sites open for hunting and update site-specific regulations at these sites.
- B) Statutory Authority: Implementing and authorized by Sections 1.3, 1.4, 1.20, 2.9, 2.10 and 2.11 of the Wildlife Code [520 ILCS 5/1.3, 1.4, 1.20, 2.9, 2.10 and 2.11].
- C) Scheduled meeting/hearing dates: None
- D) Date Agency anticipates First Notice: January 2017

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- E) Effect on small businesses, small municipalities or not-for-profit corporations: None
- F) Agency contact person for information:
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- 217/782-1809
- G) Related rulemakings and other pertinent information: None
- r) Part (Heading and Code Citation): The Taking of Wild Turkeys – Fall Gun Season (17 Ill. Adm. Code 715)
- 1) Rulemaking:
- A) Description: This Part will be amended to update the list of State-owned or -managed sites open for hunting and update site-specific regulations at these sites.
- B) Statutory Authority: Implementing and authorized by Sections 1.3, 1.4, 1.20, 2.9, 2.10 and 2.11 of the Wildlife Code [520 ILCS 5/1.3, 1.4, 1.20, 2.9, 2.10 and 2.11].
- C) Scheduled meeting/hearing dates: None
- D) Date Agency anticipates First Notice: January 2017
- E) Effect on small businesses, small municipalities or not-for-profit corporations: None
- F) Agency contact person for information:
- Anne Mergen, Legal Counsel
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Springfield IL 62702-1271

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G) Related rulemakings and other pertinent information: Nones) Part (Heading and Code Citation): The Taking of Wild Turkeys – Fall Archery Season (17 Ill. Adm. Code 720)1) Rulemaking:

- A) Description: This Part will be amended to make statewide program changes, open and close State-owned or -managed sites, and amend procedures at these sites.
- B) Statutory Authority: Implementing and authorized by Sections 1.3, 1.4, 2.9, 2.10 and 2.11 of the Wildlife Code [520 ILCS 5/1.3, 1.4, 2.9, 2.10 and 2.11].
- C) Scheduled meeting/hearing dates: None
- D) Date Agency anticipates First Notice: January 2016
- E) Effect on small businesses, small municipalities or not-for-profit corporations: None
- F) Agency contact person for information:

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G) Related rulemakings and other pertinent information: Nonet) Part (Heading and Code Citation): Dove Hunting (17 Ill. Adm. Code 730)1) Rulemaking:

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- A) Description: This Part will be amended to update the list of State-owned or -managed sites open for hunting and update site-specific regulations at these sites.
- B) Statutory Authority: Implementing and authorized by Sections 1.3 and 1.4 of the Wildlife Code [520 ILCS 5/1.3 and 1.4].
- C) Scheduled meeting/hearing dates: None
- D) Date Agency anticipates First Notice: January 2017
- E) Effect on small businesses, small municipalities or not-for-profit corporations: None
- F) Agency contact person for information:

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- G) Related rulemakings and other pertinent information: None

u) Part (Heading and Code Citation): Crow, Woodcock, Snipe, Rail and Teal Hunting (17 Ill. Adm. Code 740)

1) Rulemaking:

- A) Description: This Part will be amended to update the list of State-owned or -managed sites open for hunting and update site-specific regulations at these sites.
- B) Statutory Authority: Implementing and authorized by Sections 1.2, 1.3, 1.4, 2.1, 2.2, 2.18, 2.26, 2.33 and 3.5 of the Wildlife Code [520 ILCS 5/1.2, 1.3, 1.4, 2.1, 2.2, 2.18, 2.26, 2.33 and 3.5] and Migratory Bird Hunting (50 CFR 20, August 25, 1987).
- C) Scheduled meeting/hearing dates: None

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- D) Date Agency anticipates First Notice: January 2017
- E) Effect on small businesses, small municipalities or not-for-profit corporations: None
- F) Agency contact person for information:

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- G) Related rulemakings and other pertinent information: None

v) Part (Heading and Code Citation): Commercial Fishing and Musseling in Certain Waters of the State (17 Ill. Adm. Code 830)

1) Rulemaking:

- A) Description: This Part is being amended to add sites and update site regulations.
- B) Statutory Authority: Implementing and authorized by Sections 1-60, 1-65, 1-120, 10-120, 15-35, 15-40, 20-35 and 25-5 of the Fish and Aquatic Life Code [515 ILCS 5/1-60, 1-65, 1-120, 10-120, 15-35, 15-40, 20-35 and 25-5].
- C) Scheduled meeting/hearing dates: None
- D) Date Agency anticipates First Notice: February 2017
- E) Effect on small businesses, small municipalities or not-for-profit corporations: None
- F) Agency contact person for information:

Dan Nelson, Legal Counsel

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G) Related rulemakings and other pertinent information: None

w) Part (Heading and Code Citation): Aquaculture, Transportation, Stocking, Importation and/or Possession of Aquatic Life (17 Ill. Adm. Code 870)

1) Rulemaking:

A) Description: This Part will be amended to reduce the paperwork needed by fish retailers, in particular Grass Carp dealers hauling to sites south of I-80

B) Statutory Authority: Implementing and authorized by Sections 1-20, 1-105, 1-125, 1-135, 1-140, 1-145 and 20-90 of the Fish and Aquatic Life Code [515 ILCS 5/1-20, 1-105, 1-125, 1-135, 1-140, 1-145 and 20-90].

C) Scheduled meeting/hearing dates: None

D) Date Agency anticipates First Notice: February 2017

E) Effect on small businesses, small municipalities or not-for-profit corporations: This will relieve some paperwork currently imposed on retail fish dealers.

F) Agency contact person for information:

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G) Related rulemakings and other pertinent information: None

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- x) Part (Heading and Code Citation): Consultation Procedures for Assessing Impacts of Agency Actions on Endangered and Threatened Species and Natural Areas (17 Ill. Adm. Code 1075)
- 1) Rulemaking:
- A) Description:
- B) Statutory Authority: Implementing and authorized by Section 11(b) of the Illinois Endangered Species Protection Act [520 ILCS 10/11] and Section 17 of the Illinois Natural Areas Preservation Act [525 ILCS 30/17].
- C) Scheduled meeting/hearing dates: None
- D) Date Agency anticipates First Notice:
- E) Effect on small businesses, small municipalities or not-for-profit corporations: None
- F) Agency contact person for information:
- Anne Mergen, Legal Counsel
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Springfield IL 62702-1271
- 217/782-1809
- G) Related rulemakings and other pertinent information: None
- y) Part (Heading and Code Citation): Construction in Floodways of Rivers, Lakes and Streams (17 Ill. Adm. Code 3700)
- 1) Rulemaking:
- A) Description: This Part is being amended to modify the levee and floodwall construction or modification criteria to a lessened standard; to change/simplify the permit application review fee provisions and to provide additional clarification on several other sections of the rules.

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- B) Statutory Authority: Implementing and authorized by Sections 23, 29a, 30 and 35 of the Rivers, Lakes and Streams Act [615 ILCS 5/23, 29a, 30 and 35].
- C) Scheduled meeting/hearing dates: None
- D) Date Agency anticipates First Notice: January 2017
- E) Effect on small businesses, small municipalities or not-for-profit corporations: None
- F) Agency contact person for information:
- Robert Mool, Legal Counsel
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- 217/782-1809
- G) Related rulemakings and other pertinent information: None
- z) Part (Heading and Code Citation): Floodway Construction in Northeastern Illinois (17 Ill. Adm. Code 3708)
- 1) Rulemaking:
- A) Description: This Part is being amended to change/simplify the permit application review fee provisions and public notice publication requirements.
- B) Statutory Authority:
- C) Scheduled meeting/hearing dates:
- D) Date Agency anticipates First Notice: January 2017
- E) Effect on small businesses, small municipalities or not-for-profit corporations: None

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F) Agency contact person for information:

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G) Related rulemakings and other pertinent information: Noneaa) Part (Heading and Code Citation): Regulation of Public Waters (17 Ill. Adm. Code 3704)1) Rulemaking:

A) Description: This Part is being amended to change/simplify the permit application review fee provisions and public notice publication requirements.

B) Statutory Authority:

C) Scheduled meeting/hearing dates:

D) Date Agency anticipates First Notice: January 2017

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

F) Agency contact person for information:

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G) Related rulemakings and other pertinent information: Nonebb) Part (Heading and Code Citation): Construction and Maintenance of Dams (17 Ill. Adm. Code 3702)

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- 1) Rulemaking:
 - A) Description: This Part is being amended to change/simplify the permit application review fee provisions and public notice publication requirements.
 - B) Statutory Authority:
 - C) Scheduled meeting/hearing dates:
 - D) Date Agency anticipates First Notice: January 2017
 - E) Effect on small businesses, small municipalities or not-for-profit corporations: None
 - F) Agency contact person for information:

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 - G) Related rulemakings and other pertinent information: None
- cc) Part (Heading and Code Citation): The Illinois Oil and Gas Act (62 Ill. Adm. Code 240)
 - 1) Rulemaking:
 - A) Description: This Part will be amended to streamline the permitting process, hearing requirements and procedures, well spacing requirements, underground liquid hydrocarbon storage facilities, produced water recycling and well site restoration.
 - B) Statutory Authority: Implementing and authorized by the Illinois Oil and Gas Act [225 ILCS 725].
 - C) Scheduled meeting/hearing dates: None

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- D) Date Agency anticipates First Notice: January 2016
- E) Effect on small businesses, small municipalities or not-for-profit corporations: None
- F) Agency contact person for information:

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- G) Related rulemakings and other pertinent information: None

dd) Part (Heading and Code Citation): General Definitions (62 Ill. Adm. Code 1701)

1) Rulemaking:

- A) Description: This Part will be amended to comply with the changes made to the Office of Surface Mining's regulations.
- B) Statutory Authority: Implementing and authorized by the Surface Coal Mining Land Conservation and Reclamation Act [225 ILCS 720].
- C) Scheduled meeting/hearing dates: None
- D) Date Agency anticipates First Notice: April 2017
- E) Effect on small businesses, small municipalities or not-for-profit corporations: None
- F) Agency contact person for information:

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- G) Related rulemakings and other pertinent information: 62 Ill. Adm. Code Parts 1773, 1777, and 1848

ee) Part (Heading and Code Citation): Areas Designated by Act of Congress (62 Ill. Adm. Code 1761)

1) Rulemaking:

- A) Description: This part will be amended to correct a reference to another part.
- B) Statutory Authority: Implementing and authorized by the Surface Coal Mining Land Conservation and Reclamation Act [225 ILCS 720].
- C) Scheduled meeting/hearing dates: None
- D) Date Agency anticipates First Notice: April 2017
- E) Effect on small businesses, small municipalities or not-for-profit corporations: None
- F) Agency contact person for information:

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One Natural Resources Way
Springfield IL 62702-1271

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- G) Related rulemakings and other pertinent information: 62 Ill. Adm. Code Parts 1773, 1777, and 1848

ff) Part (Heading and Code Citation): Requirements for Permits and Permit Processing (62 Ill. Adm. Code 1773)

1) Rulemaking:

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- A) Description: This Part is being amended to comply with the changes made to the Office of Surface Mining's regulations.
- B) Statutory Authority: Implementing and authorized by the Surface Coal Mining Land Conservation and Reclamation Act [225 ILCS 720].
- C) Scheduled meeting/hearing dates: None
- D) Date Agency anticipates First Notice: April 2017
- E) Effect on small businesses, small municipalities or not-for-profit corporations: None
- F) Agency contact person for information:

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- G) Related rulemakings and other pertinent information: 62 Ill. Adm. Code Parts 1773, 1777, and 1848

gg) Part (Heading and Code Citation): Permit Applications – Minimum Requirements for Legal, Financial, Compliance, and Related Information (62 Ill. Adm. Code 1778)

1) Rulemaking:

- A) Description: This Part is being amended to comply with changes made to the Office of Surface Mining's regulations.
- B) Statutory Authority: Implementing and authorized by the Surface Coal Mining Land Conservation and Reclamation Act [225 ILCS 720].
- C) Scheduled meeting/hearing dates: None
- D) Date Agency anticipates First Notice: April 2017

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- E) Effect on small businesses, small municipalities or not-for-profit corporations: None
- F) Agency contact person for information:

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217/782-1809
- G) Related rulemakings and other pertinent information: 62 Ill. Adm. Code Parts 1773, 1777, and 1848
- hh) Part (Heading and Code Citation): Small Operator Assistance (62 Ill. Adm. Code 1795)
- 1) Rulemaking:
- A) Description: This part will be amended to correct a reference to another part.
- B) Statutory Authority: Implementing and authorized by the Surface Coal Mining Land Conservation and Reclamation Act [225 ILCS 720].
- C) Scheduled meeting/hearing dates: None
- D) Date Agency anticipates First Notice: April 2017
- E) Effect on small businesses, small municipalities or not-for-profit corporations: None
- F) Agency contact person for information:

Nick San Diego, Legal Counsel
One Natural Resources Way
Springfield IL 62702-1271

217/782-1809

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- G) Related rulemakings and other pertinent information: 62 Ill. Adm. Code Parts 1773, 1777, and 1848
- ii) Part (Heading and Code Citation): Department Inspections (62 Ill. Adm. Code 1840)
- 1) Rulemaking:
- A) Description: This Part will be amended to be consistent with 30 CFR 778.9 a coal company to refer to information housed in the federal Applicant Violator System (AVS) when applying for a permit. The Department will also update references in the rule as necessary.
- B) Statutory Authority: Implementing and authorized by the Surface Coal Mining Land Conservation and Reclamation Act [225 ILCS 720].
- C) Scheduled meeting/hearing dates: None
- D) Date Agency anticipates First Notice: April 2017
- E) Effect on small businesses, small municipalities or not-for-profit corporations: None
- F) Agency contact person for information:
- Nick San Diego, Legal Counsel
One Natural Resources Way
Springfield IL 62702-1271
- 217/782-1809
- G) Related rulemakings and other pertinent information: None
- jj) Part (Heading and Code Citation): Administrative and Judicial Review (62 Ill. Adm. Code 1847)
- 1) Rulemaking:
- A) Description: This Part will be amended to implement amendments to 225 ILCS 7.20/2.11(c) authorizing a hearing officer to issue interim orders

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during the hearing process (PA 97-0934). This rule will also be amended to implement terms of an agreed consent order.

- B) Statutory Authority: Implementing and authorized by the Surface Coal Mining Land Conservation and Reclamation Act [225 ILCS 720].
- C) Scheduled meeting/hearing dates: None
- D) Date Agency anticipates First Notice: April 2017
- E) Effect on small businesses, small municipalities or not-for-profit corporations: None
- F) Agency contact person for information:

Nick San Diego, Legal Counsel
One Natural Resources Way
Springfield IL 62702-1271

217/782-1809

- G) Related rulemakings and other pertinent information: 62 Ill. Adm. Code Parts 1773, 1777, and 1848

kk) Part (Heading and Code Citation): General Rules Relating to Procedure and Practice (62 Ill. Adm. Code 1848)

1) Rulemaking:

- A) Description: This Part will be amended to implement amendments to 225 ILCS 7.20/2.11(c) authorizing a hearing officer to issue interim orders during the hearing process (PA 97-934). This rule will also be amended to implement terms of an agreed consent order.
- B) Statutory Authority: Implementing and authorized by the Surface Coal Mining Land Conservation and Reclamation Act [225 ILCS 720].
- C) Scheduled meeting/hearing dates: None

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- D) Date Agency anticipates First Notice: April 2017
- E) Effect on small businesses, small municipalities or not-for-profit corporations: None
- F) Agency contact person for information:
- Nick San Diego, Legal Counsel
One Natural Resources Way
Springfield IL 62702-1271
- 217/782-1809
- G) Related rulemakings and other pertinent information: 62 Ill. Adm. Code Parts 1773, 1777, and 1848
- II) Part (Heading and Code Citation): Surface Mined Land Conservation and Reclamation Act (62 Ill. Adm. Code 300)
- 1) Rulemaking:
- A) Description: This Part will be amended to increase the amount of bond required to be filed with the Department before any surface mining or refuse disposal permit is issued.
- B) Statutory Authority: Implementing and authorized by the Surface Mined Land Conservation and Reclamation Act [225 ILCS 715].
- C) Scheduled meeting/hearing dates: None
- D) Date Agency anticipates First Notice: April 2017
- E) Effect on small businesses, small municipalities or not-for-profit corporations: This proposed amendment change will mirror the previous amendment changes to the Surface Mining Land Conservation and Reclamation Act under HB 0123. No negative impacts or Effects are anticipated from this rule change. It should be noted that aggregate industry supported the above noted amendment.

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F) Agency contact person for information:

Nick San Diego, Legal Counsel
One Natural Resources Way
Springfield IL 62702-1271

217/782-1809

G) Related rulemakings and other pertinent information: None

STATE BOARD OF EDUCATION

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a) Part(s) (Heading and Code Citation): Public Schools Evaluation, Recognition and Supervision (23 Ill. Adm. Code 1)

1) Rulemaking:

A) Description: Numerous changes will be proposed in Part 1, to include but not be limited to, allowing Regional Offices of Education to access the Educator Licensure Information System, requirements for supervisory and administrative staff, requirements to serve as a substitute teacher in driver's education, assignability for specific 6-12 fields beginning February 1, 2018.

B) Statutory Authority: 105 ILCS 5/2-3.6

C) Scheduled meeting/hearing date: To be announced

D) Date agency anticipates First Notice: January 2017

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

F) Agency contact person for information:

Lindsay Bentivegna
Agency Rules Coordinator
Illinois State Board of Education
100 North First Street, S-493
Springfield IL 62777

217/782-5270
rules@isbe.net
fax: 217/524-08585

G) Related rulemakings and other pertinent information: None

b) Part(s) (Heading and Code Citation): Educator Licensure (23 Ill. Adm. Code 25)

1) Rulemaking:

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- A) Description: Addition of approval of Interveners for students who are deaf-blind, entitlement audits, short-term emergency approval in special education, annual program report deadlines changed, alternative licensure, plagiarism policy, licensure of persons who have been convicted of a crime, kindergarten endorsement, and responses to PA 99-667; updates acceptable passing ACT® and SAT® scores to be used in lieu of passing the Test of Basic Skills; and allows educator licensure candidates who take a licensing exam on or after March 1, 2017, to appeal certain testing violations.
- B) Statutory Authority: 105 ILCS 5/2-3.6
- C) Scheduled meeting/hearing date: To be announced
- D) Date agency anticipates First Notice: January 2017
- E) Effect on small businesses, small municipalities, or not-for-profit corporations: None
- F) Agency contact person for information:
- Lindsay Bentivegna
Agency Rules Coordinator
Illinois State Board of Education
100 North First Street, S-493
Springfield IL 62777
- 217/782-5270
rules@isbe.net
fax: 217/524-08585
- G) Related rulemakings and other pertinent information: None
- c) Part(s) (Heading and Code Citation): Programs for the Preparation of Superintendents in Illinois (23 Ill. Adm. Code 33)
- 1) Rulemaking:

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- A) Description: Clarify candidates need two years of experience in an administrative or supervisory position before being entitled.
- B) Statutory Authority: 105 ILCS 5/2-3.6 and 21B-25.
- C) Scheduled meeting/hearing date: To be announced
- D) Date agency anticipates First Notice: January 2017
- E) Effect on small businesses, small municipalities, or not-for-profit corporations: None
- F) Agency contact person for information:

Lindsay Bentivegna
Agency Rules Coordinator
Illinois State Board of Education
100 North First Street, S-493
Springfield IL 62777

217/782-5270
rules@isbe.net
fax: 217/524-08585

- G) Related rulemakings and other pertinent information: None

d) Part(s) (Heading and Code Citation): Vocational Education (23 Ill. Adm. Code 254)

1) Rulemaking:

- A) Description: Part 254 will be repealed and will be replaced with new Part 254.
- B) Statutory Authority: 105 ILCS 435
- C) Scheduled meeting/hearing date: To be announced
- D) Date agency anticipates First Notice: June 2017

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

F) Agency contact person for information:

Lindsay Bentivegna
Agency Rules Coordinator
Illinois State Board of Education
100 North First Street, S-493
Springfield IL 62777

217/782-5270
rules@isbe.net
fax: 217/524-08585

G) Related rulemakings and other pertinent information: None

2) Rulemaking:

A) Description: New Part 254 will set forth the criteria and standards, including the grant process, to be used to award funding under the Vocational Education Act and the federal Carl D. Perkins Vocational Education Act (20 USC 2301 et seq.).

B) Statutory Authority: 105 ILCS 435

C) Scheduled meeting/hearing date: To be announced

D) Date agency anticipates First Notice: June 2017

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

F) Agency contact person for information:

Lindsay Bentivegna
Agency Rules Coordinator
Illinois State Board of Education
100 North First Street, S-493

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Springfield IL 62777

217/782-5270

rules@isbe.net

fax: 217/524-08585

G) Related rulemakings and other pertinent information: None

e) Part(s) (Heading and Code Citation): Agriculture Education Program (23 Ill. Adm. Code 75)

1) Rulemaking:

A) Description: The amendments will address PA 99-826 that created the Agriculture Education Teacher Grant Program.

B) Statutory Authority: 105 ILCS 5/2-3.80b

C) Scheduled meeting/hearing date: To be announced

D) Date agency anticipates First Notice: April 2017

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

F) Agency contact person for information:

Lindsay Bentivegna
Agency Rules Coordinator
Illinois State Board of Education
100 North First Street, S-493
Springfield IL 62777

217/782-5270

rules@isbe.net

fax: 217/524-08585

G) Related rulemakings and other pertinent information: None

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f) Part(s) (Heading and Code Citation): Public Information, Rulemaking and Organization (2 Ill. Adm. Code 5000)

1) Rulemaking:

A) Description: These rules will be updated to reflect the current organizational structure of the State Board of Education and agency, as has been codified in PA 99-30, effective July 10, 2015.

B) Statutory Authority: 5 ILCS 100/5-15

C) Scheduled meeting/hearing date: To be announced

D) Date agency anticipates First Notice: June 2017

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

F) Agency contact person for information:

Lindsay Bentivegna
Agency Rules Coordinator
Illinois State Board of Education
100 North First Street, S-493
Springfield IL 62777

217/782-5270
rules@isbe.net
fax: 217/524-08585

G) Related rulemakings and other pertinent information:

g) Part(s) (Heading and Code Citation): General Grantmaking (44 Ill. Adm. 7200)

1) Rulemaking:

A) Description: This new Part will comply with PA 98-706 and 30 ILCS 708 regarding a standardized, statewide process for awarding and monitoring State and federal grants. This rulemaking will be conducted once

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additional rules regarding in part, grant process and criteria, are promulgated by the Grant Accountability and Transparency Unit.

- B) Statutory Authority: 30 ILCS 708/50
- C) Scheduled meeting/hearing date: To be announced
- D) Date agency anticipates First Notice: June 2017
- E) Effect on small businesses, small municipalities, or not-for-profit corporations: None
- F) Agency contact person for information:

Lindsay Bentivegna
Agency Rules Coordinator
Illinois State Board of Education
100 North First Street, S-493
Springfield IL 62777

217/782-5270
rules@isbe.net
fax: 217/524-08585
- G) Related rulemakings and other pertinent information: None

POLLUTION CONTROL BOARD

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a) Parts (Heading and Code Citation):

General Rules (35 Ill. Adm. Code 101)

Regulatory and Informational Hearings and Proceedings (35 Ill. Adm. Code 102)

Enforcement (35 Ill. Adm. Code 103)

Regulatory Relief Mechanisms (35 Ill. Adm. Code 104)

Appeals of Final Decisions of State Agencies (35 Ill. Adm. Code 105)

Proceedings Pursuant to Specific Rules or Statutory Provisions (35 Ill. Adm. Code 106)

Petition to Review Pollution Control Facility Siting Decisions (35 Ill. Adm. Code 107)

Administrative Citations (35 Ill. Adm. Code 108)

Tax Certifications (35 Ill. Adm. Code 125)

1) Rulemaking: No docket presently reserved.

- A) Description: The proposed amendments are designed to increase the efficiency of Board operations and reduce the cost of conducting Board rulemakings and other contested cases. The Board will achieve these objectives by expanding the use of digital technology to reduce printing, copying and travel.
- B) Statutory Authority: Authorized by Sections 27 and 28 of the Environmental Protection Act [415 ILCS 5/27, 28; 415 ICLS 55/8].
- C) Scheduled meeting/hearing dates: Hearings have not been scheduled.
- D) Date Agency anticipates First Notice: The date of publication in the *Illinois Register* could not be determined at the time this regulatory agenda was filed. Please check with the Board for further information.
- E) Effect on small businesses, small municipalities or not-for-profit corporations: As proposed, this rule would apply to entities that appear before the Illinois Pollution Control Board.
- F) Agency contact person for information: Address written comments concerning the substance of the rulemaking to:

John Therriault, Clerk
Pollution Control Board
100 West Randolph Street, Suite 11-500

POLLUTION CONTROL BOARD

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Chicago IL 60601

- G) Related Rulemaking and other pertinent information: Interested persons may contact the Board about its prospective rulemaking proposal as follows:

Richard McGill
Pollution Control Board
100 W. Randolph St.
Chicago IL 60601

Richard.McGill@illinois.gov
312/814-6983

- b) Part (Heading and Code Citation): Regulatory Relief Mechanisms (35 Ill. Adm. Code 104)

- 1) Rulemaking: No docket presently reserved.
- A) Description: The Illinois Environmental Protection Agency is in the process of developing a rulemaking proposal to file with the Board regulations that allow for time-limited water quality standards.
- B) Statutory authority: Implementing and authorized Sections 27 and 28 of the Act [415 ILCS 5/27 and 28].
- C) Scheduled meeting/hearing dates: The Agency has stated that it anticipates filing a rulemaking proposal with the Board within the next six months. No meetings or hearings are scheduled at this time. Once the proposal is filed, the Board will conduct public hearings in accordance with the requirements established by Section 27 of the Act [415 ILCS 5/27].
- D) Date Agency anticipates First Notice: An Agency submittal of a proposal to the Board would commence this proceeding, and the Agency has stated that it expects to file a proposal within the next six months. After the filing of a proposal by the Agency, the Board will cause publication of a Notice of Proposed Amendments in the *Illinois Register*.

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- E) Effect on small business, small municipalities, or not-for-profit corporation: This proposal may affect any small business, small municipality or not-for-profit corporation if they are covered by a NPDES permit, seeking section 401 certification, or are a non-point source of pollution.
- F) Agency contact person for information: Address comments concerning the substance of the rulemaking to:

John Therriault, Acting Clerk
Pollution Control Board
100 West Randolph Street, Suite 11-500
Chicago IL 60601

- G) Related rulemakings and other pertinent information: For information regarding the Agency's development of this proposal, please contact the following Agency attorney:

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

217/782-5544
Sara.terranova@illinois.gov

c) Parts (Headings and Code Citations):

Definitions and General Provisions (35 Ill. Adm. Code 211)
Visible and Particulate Matter Emissions (35 Ill. Adm. Code 212)
Organic Material Emission Standards and Limitations for the Chicago Area (35 Ill. Adm. Code 218)
Organic Material Emission Standards and Limitations for the Metro East Area (35 Ill. Adm. Code 219)
Standards and Limitations for Organic Material Emissions for Area Sources (35 Ill. Adm. Code 223)

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- 1) Rulemaking: No docket presently reserved.
- A) Description: The Illinois Environmental Protection Agency (Agency) is currently developing amendments for proposal to the Board. The proposal will "clean up" various errors and outdated portions of the rules found in Parts 218 and 219. The exact changes to be made have not yet been determined, but they shall all be considered routine. Part 211 shall be modified as necessary to accommodate any revised definitions. Parts 212 and 223 are also routine minor changes.
- B) Statutory authority: Implementing Section 10 of the Act [415 ILCS 5/10] and authorized by Section 27 of the Act [415 ILCS 5/27].
- C) Scheduled meeting/hearing dates: The Agency has stated that it anticipates filing a rulemaking proposal with the Board within the next six months. No meetings or hearings are scheduled at this time. Once the proposal is filed, the Board will conduct public hearings in accordance with the requirements established by Section 27 of the Act [415 ILCS 5/27].
- D) Date Agency anticipates First Notice: An Agency submittal of a proposal to the Board would commence this proceeding, and the Agency has stated that it expects to file a proposal within the next six months. After the filing of a proposal by the Agency, the Board will cause publication of a Notice of Proposed Amendments in the *Illinois Register*.
- E) Effect on small business, small municipalities, or not-for-profit corporation: This proposal may affect any small business, small municipality or not-for-profit corporation that relies on the portions being amended. Again, however, this rulemaking is designed to be a routine clean-up of the rules.
- F) Agency contact person for information: Address comments concerning the substance of the rulemaking to:

John Therriault, Acting Clerk
Pollution Control Board
100 West Randolph Street, Suite 11-500
Chicago IL 60601

POLLUTION CONTROL BOARD

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Address questions concerning this regulatory agenda to:

Nancy Hoepfner
2125 North First Street
Champaign IL 61820

217/493-5256
nancy.hoepfner@illinois.gov

- G) Related rulemakings and other pertinent information: For information regarding the Agency's development of this proposal, please contact the following Agency attorney:

Charles E. Matoesian
Illinois Environmental Protection Agency
Division of Legal Counsel
1021 North Grand Avenue East
P.O. Box 19276
Springfield IL 62794-9276

217/782-5544
Charles.matoesian@illinois.gov

- d) Part (Heading and Code Citation): Definitions and General Provisions (35 Ill. Adm. Code 211)

- 1) Rulemaking: Docket number R17-11

- A) Description: Section 9.1(e) of the Environmental Protection Act [415 ILCS 5/9.1(e)] mandates that the Board update the Illinois definition of volatile organic material (VOM) to reflect the additions made by the United States Environmental Protection Agency (USEPA) to the list of compounds exempt from regulation as ozone precursors. Those compounds are determined by USEPA to be exempt from regulation under the state implementation plan (SIP) for ozone in the federal "Recommended Policy on the Control of Volatile Organic Compounds" (Recommended Policy) due to their negligible photochemical reactivity. On February 3, 1992 (57 Fed. Reg. 3945), USEPA codified its definition

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of VOM at 40 CFR 51.100(s), which now embodies the former Recommended Policy. This codified definition now includes all the compounds and classes of compounds previously exempted in the former Recommended Policy. The Illinois definition of VOM is presently codified at 35 Ill. Adm. Code 211.7150.

The Board has reserved docket number R17-11 to accommodate any federal amendments to the 40 CFR 51.100(s) definition of VOM that USEPA may make in the period July 1, 2016 through December 31, 2016. At this time, the Board is aware of one federal action during this update period that affected the federal definition of VOM. That action, and the Board action in response, is described as follows:

August 1, 2016 (81 Fed. Reg. 50330): USEPA excluded a new hydrofluoroether from the definition of VOM. The Board must add the exclusion to the Illinois definition of VOM. in 35 Ill. Adm. Code 211.7150.

In coming weeks, by about mid-February 2017, the Board will verify the existence of any additional federal actions that may affect the definition of VOM and determine the Board action required in response to each. The Board will then propose corresponding amendments to the Illinois definition of VOM using the identical-in-substance procedure in docket R17-11, as necessary and appropriate.

Section 9.1(e) mandates that the Board complete amendments within one year of the date on which USEPA adopted the earliest action upon which the amendments are based. Since the earliest USEPA action that will require Board action occurred on August 1, 2016, the due date for Board adoption of amendments in docket R17-11 would be August 1, 2017.

To meet a due date of August 1, 2017, the Board would vote to propose amendments and cause a Notice of Proposed Amendments to appear in the *Illinois Register* by early-May 2017. This would be sufficiently in advance of the due date to allow the Board to accept public comments on the proposal for 45 days before acting to adopt any amendments. Alternatively, if no amendment to the Illinois definition is needed, the Board will promptly dismiss the reserved docket R17-11.

POLLUTION CONTROL BOARD

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- B) Statutory authority: Implementing and authorized by Sections 7.2, 9.1(e), and 27 of the Environmental Protection Act [415 ILCS 5/7.2, 9.1(e) & 27].
- C) Scheduled meeting/hearing dates: None scheduled at this time. The Board will vote to propose any amendments at an open meeting in accordance with requirements established by Sections 27 and 28 of the Act [415 ILCS 5/27 & 28]. The Board will then schedule and conduct at least one public hearing, as required by Section 110(a) of the federal Clean Air Act (42 USC § 7410(a)) for amendment of the Illinois ozone SIP.
- D) Date Agency anticipates First Notice: The Board cannot project an exact date for publication at this time. The Board expects to verify any other federal actions by mid-February 2017, after which time the Board will propose any amendments to the Illinois definition of VOM that are necessary in response to the federal amendments that have occurred. If the due date for Board adoption of amendments in this docket is August 1, 2017, the Board will vote to propose amendments and cause a Notice of Proposed Amendments to appear in the Illinois Register by late-May 2017. This would be sufficiently in advance of the due date to allow the Board to accept public comments on the proposal for 45 days before acting to adopt any amendments.
- E) Effect on small business, small municipalities, or not-for-profit corporations: This rulemaking may affect any small business, small municipality, or not-for-profit corporation that engages in the emission of a chemical compound that is the subject of a proposed exemption or proposed deletion from the USEPA list of exempted compounds.
- F) Agency contact person for information: Address written comments concerning the substance of the rulemaking, noting docket number R17-11, as follows:

John T. Therriault, Clerk
Pollution Control Board
100 West Randolph Street, Suite 11-500
Chicago IL 60601

Address questions concerning this regulatory agenda, noting docket number R17-11, as follows:

POLLUTION CONTROL BOARD

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Michael J. McCambridge, Attorney
Pollution Control Board
100 West Randolph Street, Suite 11-500
Chicago IL 60601

312/814-6924

Michael.McCambridge@illinois.gov

- G) Related rulemakings and other pertinent information: No other rulemaking that would affect 35 Ill. Adm. Code 211 is planned at this time. Receipt of a rulemaking proposal pursuant to 415 ILCS 5/27 and 28, however, could cause the Board to initiate a rulemaking at any time.

Section 9.1(e) of the Environmental Protection Act [415 ILCS 5/9.1(e)] provides that Title VII of the Act and Section 5 of the Administrative Procedure Act (APA) [5 ILCS 100/5-35, 40] shall not apply. Because this rulemaking is not subject to Section 5 of the APA, it is not subject to First Notice or to Second Notice review by the Joint Committee on Administrative Rules. Rather, the Board will cause a Notice of Proposed Amendments to appear in the Illinois Register, and it will accept public comments on the proposal for 45 days after the date of publication.

- e) Part (Heading and Code Citation): Definitions and General Provisions (35 Ill. Adm. Code 243)

- 1) Rulemaking: Docket number R17-10

- A) Description: PA 97-945 added Section 10(H) to the Environmental Protection Act [415 ILCS 5/10(H)] effective August 10, 2012. This new provision mandates that the Board adopt ambient air quality standards that are identical-in-substance to the National Ambient Air Quality Standards (NAAQS) adopted by USEPA pursuant to section 109 of the federal Clean Air Act (42 USC § 7409). USEPA has codified the primary and secondary NAAQS at 40 CFR 50, including provisions relative to methods for monitoring ambient air quality for the several contaminants (particulate matter, nitrogen oxides, sulfur oxides, ozone, carbon monoxide, and lead). Various other federal regulations relate to aspects of the NAAQS, such as 40 CFR 53 prescribing the procedure for approval of

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equivalent and reference methods and 40 CFR 81 designating air quality monitoring regions and setting forth their attainment/non-attainment status.

The Board has reserved docket number R17-10 to accommodate any federal amendments to the NAAQS that USEPA may make during the period July 1, 2016 through December 31, 2016. At this time, the Board is aware of three federal actions with regard to the federal NAAQS that occurred during this update period. Those actions, and the Board actions in response, are described as follows:

July 13, 2016 (81 Fed. Reg. 45284): USEPA designated two new federal equivalent methods and four new federal equivalent methods for monitoring ambient air quality. The Board included this action in the prior NAAQS update docket, R17-1. No further Board action will be needed in this regard.

October 3, 2016 (81 Fed. Reg. 68216): USEPA revised the NAAQS provisions relating to excluding ambient air monitoring data influenced by exceptional events. The Board must incorporate the changes into the Illinois NAAQS rules.

October 18, 2016 (81 Fed. Reg. 71906): USEPA determined to retain the existing 2008 NAAQS for lead without revision. No Board action will be required on this USEPA action beyond noting that USEPA took the action.

In coming weeks, by about mid-February 2017, the Board will verify the existence of any other federal actions that may affect the federal NAAQS and determine the Board action required in response to each. The Board will then include that action in this docket to make the Illinois ambient air quality standards identical-in-substance to the federal NAAQS in this docket R17-10, as necessary and appropriate.

Section 10(H) mandates that the Board complete amendments within one year of the date on which USEPA adopted the earliest action upon which the amendments are based. Since the earliest USEPA action that will require Board action occurred on October 3, 2016, the due date for Board adoption of amendments in docket R17-10 would be October 3, 2017.

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To meet a due date of October 3, 2017, the Board would vote to propose amendments and cause a Notice of Proposed Amendments to appear in the Illinois Register by early-July 2017. This would be sufficiently in advance of the due date to allow the Board to accept public comments on the proposal for 45 days before acting to adopt any amendments. Alternatively, if no amendment to the Illinois definition is needed, the Board will promptly dismiss the reserved docket R17-10.

- B) Statutory authority: Implementing and authorized by Sections 7.2, 10(H), and 27 of the Environmental Protection Act [415 ILCS 5/7.2, 10(H) & 27].
- C) Scheduled meeting/hearing dates: None scheduled at this time. The Board will vote to propose any amendments at an open meeting in accordance with requirements established by Sections 27 and 28 of the Act [415 ILCS 5/27 & 28]. The Board may then schedule and conduct at least one public hearing, if required by Section 110(a) of the federal Clean Air Act (42 USC § 7418) for amendment of the Illinois SIP for any air contaminant, should the Board deem such authorized and required.
- D) Date Agency anticipates First Notice: The Board cannot project an exact date for publication at this time. The Board expects to verify any federal actions by mid-February 2017, after which time the Board will either propose any necessary amendments to the Illinois ambient air quality standards that are necessary to ensure that they are identical-in-substance to the federal NAAQS. Since the due date for Board adoption of amendments in this docket is October 3, 2017, the Board will vote to propose amendments and cause a Notice of Proposed Amendments to appear in the Illinois Register by late-July 2017. This would be sufficiently in advance of the due date to allow the Board to accept public comments on the proposal for 45 days before acting to adopt any amendments.
- E) Effect on small business, small municipalities, or not-for-profit corporations: This rulemaking may affect any small business, small municipality, or not-for-profit corporation that engages in the emission of an air contaminant or precursor to an air contaminant that is the subject of an NAAQS.

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- F) Agency contact person for information: Address written comments concerning the substance of the rulemaking, noting docket number R17-10, as follows:

John T. Therriault, Clerk
Pollution Control Board
100 West Randolph Street, Suite 11-500
Chicago IL 60601

Address questions concerning this regulatory agenda, noting docket number R17-10, as follows:

Michael J. McCambridge, Attorney
Pollution Control Board
100 West Randolph Street, Suite 11-500
Chicago IL 60601

312/814-6924

Michael.McCambridge@illinois.gov

- G) Related rulemakings and other pertinent information: No other rulemaking that would affect 35 Ill. Adm. Code 243 is planned at this time. Receipt of a rulemaking proposal pursuant to 415 ILCS 5/27 and 28, however, could cause the Board to initiate a rulemaking at any time.

Section 10(H) of the Environmental Protection Act [415 ILCS 5/10(H)] provides that Title VII of the Act and Section 5 of the Administrative Procedure Act (APA) [5 ILCS 100/5-35, 40] shall not apply. Because this rulemaking is not subject to Section 5 of the APA, it is not subject to First Notice or to Second Notice review by the Joint Committee on Administrative Rules. Rather, the Board will cause a Notice of Proposed Amendments to appear in the *Illinois Register*, and it will accept public comments on the proposal for 45 days after the date of publication.

- f) Parts (Headings and Code Citations):

Sewer Discharge Criteria (35 Ill. Adm. Code 307)
Pretreatment Programs (35 Ill. Adm. Code 310)

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- 1) Rulemaking: Docket number R17-17
- A) Description: Section 13.3 of the Environmental Protection Act [415 ILCS 5/13.3] mandates that the Board update the Illinois wastewater pretreatment regulations to reflect revisions made to the federal wastewater pretreatment rules made by the United States Environmental Protection Agency (USEPA).

The Board has reserved docket number R17-17 to accommodate any amendments to the federal wastewater pretreatment rules, 40 CFR 400 through 499, that the USEPA may have made in the period July 1, 2016 through December 31, 2016. At this time, the Board is aware of one federal action during this update period that affected the federal definition of VOM. That action, and the Board action in response, is described as follows:

September 30, 2016 (81 Fed. Reg. 67191): By a direct final rule, USEPA extended the implementation date for the effluent and pretreatment standards for unconventional oil and gas extraction facilities adopted on June 28, 2016.

The Board will verify the existence of any other federal actions that may affect the text of the federal wastewater pretreatment regulations and determine the Board action required in response to each set of federal amendments in coming weeks, by about mid-February 2017. The Board will then propose corresponding amendments to the Illinois wastewater pretreatment regulations using the identical-in-substance procedure under docket R17-17, as necessary and appropriate.

Section 13.3 of the Act mandates that the Board complete amendments within one year of the date on which USEPA adopted the earliest action upon which the amendments are based. Since the earliest USEPA action that will require Board action occurred on September 30, 2016, the due date for Board adoption of amendments in docket R17-17 would be September 30, 2017.

- B) Statutory authority: Implementing and authorized by Sections 7.2, 13, 13.3, and 27 of the Environmental Protection Act [415 ILCS 5/7.2, 13, 13.3 & 27].

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- C) Scheduled meeting/hearing dates: None scheduled at this time. The Board will vote to propose any amendments at an open meeting in accordance with requirements established by Sections 27 and 28 of the Act [415 ILCS 5/27 & 28]. No hearing is required in identical-in-substance proceedings.
- D) Date Agency anticipates First Notice: The Board cannot project an exact date for publication at this time. The Board expects to verify any federal actions by mid-February 2017, after which time the Board will propose any amendments to the Illinois wastewater treatment rules that are necessary in response to the federal amendments that have occurred. If the due date for Board adoption of amendments in this docket is assumed to be September 30, 2017, the Board will vote to propose amendments and cause a Notice of Proposed Amendments to appear in the Illinois Register by early-July 2016. This would be sufficiently in advance of the due date to allow the Board to accept public comments on the proposal for 45 days before acting to adopt any amendments. Alternatively, if no amendment to the Illinois wastewater pretreatment rules is needed, the Board will promptly dismiss this reserved docket.
- E) Effect on small business, small municipalities, or not-for-profit corporations: This rulemaking may affect any small business, small municipality, or not-for-profit corporation that engages in the discharge of pollutants into the collection system of a publicly-owned treatment works that is the subject of any federal amendments.
- F) Agency contact person for information: Address written comments concerning the substance of the rulemaking, noting docket number R17-17, as follows:

Address questions concerning this regulatory agenda, noting docket number R17-17, as follows:

John T. Therriault, Clerk
Pollution Control Board
100 West Randolph Street, Suite 11-500
Chicago IL 60601

POLLUTION CONTROL BOARD

JANUARY 2017 REGULATORY AGENDA

Address questions concerning this regulatory agenda, noting docket number R17-17, as follows:

Michael J. McCambridge, Attorney
Pollution Control Board
100 West Randolph Street, Suite 11-500
Chicago IL 60601

312/814-6924

Michael.McCambridge@illinois.gov

- G) Related rulemakings and other pertinent information: No other rulemaking that would affect 35 Ill. Adm. Code 307 or 310 is planned at this time. Receipt of a rulemaking proposal pursuant to 415 ILCS 5/27 and 28, however, could cause the Board to initiate a rulemaking at any time.

Section 13.3 of the Environmental Protection Act provides that Title VII of the Act and Section 5 of the Administrative Procedure Act (APA) [5 ILCS 100/5-35, 5-40] shall not apply. Because this rulemaking is not subject to Section 5 of the APA, it is not subject to First Notice or to Second Notice review by the Joint Committee on Administrative Rules. Rather, the Board will cause a Notice of Proposed Amendments to appear in the *Illinois Register*, and it will accept public comments on the proposal for 45 days after the date of publication.

- g) Part (Heading and Code Citation): Primary Drinking Water Standards (35 Ill. Adm. Code 611)

- 1) Rulemaking: Docket number R17-12

- A) Description: Section 17.5 of the Environmental Protection Act [415 ILCS 5/17.5] mandates that the Board update the Illinois drinking water regulations to reflect the USEPA amendments to the federal Safe Drinking Water Act (SDWA) primary drinking water regulations.

The Board has reserved docket number R17-12 to accommodate any amendments to the SDWA National Primary Drinking Water Standards (NPDWRs), 40 CFR 141 through 143, that the United States

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Environmental Protection Agency (USEPA) may make in the period July 1, 2016 through December 31, 2016. At this time, the Board is aware of one federal action during this update period that affected the federal definition of VOM. That action, and the Board action in response, is described as follows:

July 19, 2016 (81 Fed. Reg. 46839): USEPA granted expedited approval to 16 alternative test procedures for demonstrating compliance. The alternative test procedures are used for analyzing disinfection residuals, disinfection byproducts, inorganic contaminants, and conductivity parameters.

The Board will verify the existence of any federal actions that may affect the text of the federal NPDWRs and determine the Board action required in response to each in coming weeks, by about mid-February 2017. The Board will then propose corresponding amendments to the Illinois SDWA primary drinking water regulations using the identical-in-substance procedure or dismiss docket R17-12, as necessary and appropriate.

Section 17.5 mandates that the Board complete amendments within one year of the date on which USEPA adopted the earliest action upon which the amendments are based. Since the earliest USEPA action that will require Board action occurred on July 19, 2016, the due date for Board adoption of amendments in docket R17-12 would be July 19, 2017.

- B) Statutory authority: Implementing and authorized by Sections 17, 17.5, and 27 of the Environmental Protection Act [415 ILCS 5/17, 17.5 & 27].
- C) Scheduled meeting/hearing dates: None scheduled at this time. The Board will vote to propose any amendments at an open meeting in accordance with requirements established by Sections 27 and 28 of the Act [415 ILCS 5/27 & 28]. No hearing is required in identical-in-substance proceedings.
- D) Date Agency anticipates First Notice: The Board cannot project an exact date for publication at this time. The Board expects to verify any federal actions by mid-August 2016, after which time the Board will propose any amendments to the Illinois SDWA drinking water rules that are necessary in response to the federal amendments that have occurred. If the due date

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for Board adoption of amendments in this docket were assumed to be July 19, 2017, the Board will vote to propose amendments and cause a Notice of Proposed Amendments to appear in the Illinois Register before late-April 2016. This would be sufficiently in advance of the due date to allow the Board to accept public comments on the proposal for 45 days before acting to adopt any amendments. Alternatively, if no amendment to the Illinois definition is needed, the Board will promptly dismiss this reserved docket.

- E) Effect on small business, small municipalities, or not-for-profit corporations: This rulemaking may affect any small business, small municipality, or not-for-profit corporation in Illinois that owns or operates a "public water supply," as defined by Section 3.28 of the Act, i.e., it has at least fifteen 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.
- F) Agency contact person for information: Address written comments concerning the substance of the rulemaking, noting docket number R17-12, as follows:

John T. Therriault, Clerk
Pollution Control Board
100 West Randolph Street, Suite 11-500
Chicago IL 60601

Address questions concerning this regulatory agenda, noting docket number R17-12, as follows:

Michael J. McCambridge, Attorney
Pollution Control Board
100 West Randolph Street, Suite 11-500
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Michael.McCambridge@illinois.gov

- G) Related rulemakings and other pertinent information: No other rulemaking that would affect 35 Ill. Adm. Code 611 is planned at this

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time. Receipt of a rulemaking proposal pursuant to 415 ILCS 5/27 and 28, however, could cause the Board to initiate a rulemaking at any time.

Section 17.5 of the Environmental Protection Act [415 ILCS 5/17.5] provides that Title VII of the Act and Section 5 of the Administrative Procedure Act (APA) shall not apply. Because this rulemaking is not subject to Section 5 of the APA, it is not subject to First Notice or to Second Notice review by the Joint Committee on Administrative Rules. Rather, the Board will cause a Notice of Proposed Amendments to appear in the *Illinois Register*, and it will accept public comments on the proposal for 45 days after the date of publication.

h) Parts (Headings and Code Citations):

RCRA and UIC Permit Programs (35 Ill. Adm. Code 702)

UIC Permit Program (35 Ill. Adm. Code 704)

Procedures For Permit Issuance (35 Ill. Adm. Code 705)

Hazardous Waste Management System: General (35 Ill. Adm. Code 720)

Underground Injection Control Operating Requirements (35 Ill. Adm. Code 730)

Hazardous Waste Injection Restrictions (35 Ill. Adm. Code 738)

1) Rulemaking: Presently reserved docket number R17-13

- A) Description: Section 13(c) of the Environmental Protection Act [415 ILCS 5/13(c)] mandates that the Board update the Illinois underground injection control (UIC) regulations to reflect amendments to the United States Environmental Protection Agency (USEPA) UIC regulations.

The Board has reserved docket number R17-13 to accommodate any amendments to the federal UIC regulations, 40 CFR 144 through 148, during the period July 1, 2016 through December 31, 2016. At this time, the Board is not aware of any federal amendments to the federal UIC rules that occurred during this update period.

The Board will verify the existence of any federal actions that affect the UIC regulations and determine the Board action required in response to each in coming weeks, by about mid-February 2017. The Board will then propose corresponding amendments to the Illinois UIC regulations using

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the identical-in-substance procedure or dismiss docket R17-13, as necessary and appropriate.

Section 13(c) mandates that the Board complete amendments within one year of the date on which USEPA adopted the earliest action upon which the amendments are based. Assuming for the purposes of illustration that USEPA adopted an amendment that will require Board action on the first day of the update period, on July 1, 2016, the due date for Board adoption of amendments in docket R17-13 would be July 1, 2017.

- B) Statutory authority: Implementing and authorized by Sections 7.2, 13(c) and 27 of the Environmental Protection Act [415 ILCS 5/7.2, 13(c) & 27].
- C) Scheduled meeting/hearing dates: None scheduled at this time. The Board will vote to propose any amendments at an open meeting in accordance with requirements established by Sections 27 and 28 of the Act [415 ILCS 5/27 & 28]. No hearing is required in identical-in-substance proceedings.
- D) Date Agency anticipates First Notice: The Board cannot project an exact date for publication at this time. The Board expects to verify any federal actions by mid-February 2017, after which time the Board will propose any amendments to the Illinois UIC rules that are necessary in response to the federal amendments that have occurred. If the due date for Board adoption of amendments in this docket were assumed to be July 1, 2017, the Board will vote to propose amendments and cause a Notice of Proposed Amendments to appear in the Illinois Register by early-April 2017. This would be sufficiently in advance of the due date to allow the Board to accept public comments on the proposal for 45 days before acting to adopt any amendments. Alternatively, if no amendment to the Illinois definition is needed, the Board will promptly dismiss this reserved docket.
- E) Effect on small business, small municipalities, or not-for-profit corporations: This rulemaking may affect any small business, small municipality, or not-for-profit corporation in Illinois to the extent the affected entity engages in the underground injection of waste.

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- F) Agency contact person for information: Address written comments concerning the substance of the rulemaking, noting docket number R17-13, as follows:

John T. Therriault, Clerk
Pollution Control Board
100 West Randolph Street, Suite 11-500
Chicago IL 60601

Address questions concerning this regulatory agenda, noting docket number R17-13, as follows:

Michael J. McCambridge, Attorney
Pollution Control Board
100 West Randolph Street, Suite 11-500
Chicago IL 60601

312/814-6924

Michael.McCambridge@illinois.gov

- G) Related rulemakings and other pertinent information: The reserved RCRA Subtitle C update docket for the period July 1, 2016 through December 31, 2016 (R17-15) (see item (i) below), and other, as yet unknown, unrelated Board proceedings may affect 35 Ill. Adm. Code 702, 705, or 720. No other rulemaking that would affect any of 35 Ill. Adm. Code 704, 730, or 738 is planned at this time. Receipt of a rulemaking proposal pursuant to 415 ILCS 5/27 and 28, however, could cause the Board to initiate a rulemaking at any time.

Section 13(c) of the Environmental Protection Act [415 ILCS 5/13(c)] provides that Title VII of the Act and Section 5 of the Administrative Procedure Act (APA) shall not apply. Because this rulemaking is not subject to Section 5 of the APA, it is not subject to First Notice or to Second Notice review by the Joint Committee on Administrative Rules. Rather, the Board will cause a Notice of Proposed Amendments to appear in the *Illinois Register*, and it will accept public comments on the proposal for 45 days after the date of publication.

- i) Parts (Headings and Code Citations):

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RCRA AND UIC Permit Programs (35 Ill. Adm. Code 702)
RCRA Permit Program (35 Ill. Adm. Code 703)
Procedures For Permit Issuance (35 Ill. Adm. Code 705)
Hazardous Waste Management System: General (35 Ill. Adm. Code 720)
Identification and Listing of Hazardous Waste (35 Ill. Adm. Code 721)
Standards Applicable to Generators of Hazardous Waste (35 Ill. Adm. Code 722)
Standards Applicable to Transporters of Hazardous Waste (35 Ill. Adm. Code 723)
Standards For Owners and Operators of Hazardous Waste Treatment, Storage, and Disposal Facilities (35 Ill. Adm. Code 724)
Interim Status Standards for Owners and Operators of Hazardous Waste Treatment, Storage, and Disposal Facilities (35 Ill. Adm. Code 725)
Standards for the Management of Specific Hazardous Waste and Specific Types of Hazardous Waste Management Facilities (35 Ill. Adm. Code 726)
Land Disposal Restrictions (35 Ill. Adm. Code 728)
Standards for Universal Waste Management (35 Ill. Adm. Code 733)
Hazardous Waste Injection Restrictions (35 Ill. Adm. Code 738)
Standards for the Management of Used Oil (35 Ill. Adm. Code 739)

- 1) Rulemaking: Docket number R17-15
- A) Description: Section 22.4(a) of the Environmental Protection Act [415 ILCS 5/22.4(a)] mandates that the Board update the Illinois rules implementing Subtitle C of the federal Resource Conservation and Recovery Act (RCRA) to reflect the United States Environmental Protection Agency (USEPA) amendments to the federal RCRA Subtitle C regulations.

The Board has reserved docket number R17-15 to accommodate any amendments to the federal RCRA Subtitle C program, 40 CFR 260 through 270, 273, and 279, that USEPA made in the period July 1, 2016 through December 31, 2016. At this time, the Board is aware of two federal actions during this update period that affected the federal RCRA Subtitle C hazardous waste regulations. That action, and the Board action in response, is described as follows:

November 28, 2016 (81 Fed. Reg. 85696): USEPA amended various requirements relating to export of hazardous waste. The amendments make the rules more consistent with the requirements for shipments between members of the Organization for Economic Cooperation and Development (OECD). The revisions further implement electronic submittal of all export- and import-related documents and enable

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electronic validation of consent in the Automated Export System (AES) for shipments subject to export consent requirements. The Board must make corresponding changes in the various pertinent State requirements.

November 28, 2016 (81 Fed. Reg. 85732): USEPA adopted the Hazardous Waste Generator Improvements Rule, which revised various requirements applicable to generators of hazardous waste. The Board must make corresponding changes in the various pertinent State requirements.

The Board will verify the existence of any federal actions that affect the RCRA Subtitle C regulations and determine the Board action required in response to each in coming weeks, by about mid-February 2017. The Board will then propose corresponding amendments to the Illinois federal RCRA Subtitle C-derived hazardous waste regulations using the identical-in-substance procedure or dismiss docket R17-15, as necessary and appropriate.

Section 22.4(a) mandates that the Board complete amendments within one year of the date on which USEPA adopted the earliest action upon which the amendments are based. Since USEPA adopted an amendment that will require Board action on November 28, 2016, the due date for Board adoption of amendments in docket R17-15 would be November 28, 2017.

- B) Statutory authority: Implementing and authorized by Sections 7.2, 22.4(a), and 27 of the Environmental Protection Act [415 ILCS 5/7.2, 22.4(a) & 27].
- C) Scheduled meeting/hearing dates: None scheduled at this time. The Board will vote to propose any amendments at an open meeting in accordance with requirements established by Sections 27 and 28 of the Act [415 ILCS 5/27 & 28]. No hearing is required in identical-in-substance proceedings.
- D) Date Agency anticipates First Notice: The Board cannot project an exact date for publication at this time. The Board expects to verify any federal actions by mid-February 2017, after which time the Board will propose any amendments to the Illinois RCRA Subtitle C hazardous waste rules that are necessary in response to the federal amendments that have occurred. If the due date for Board adoption of amendments in this docket is November 28, 2017, the Board will vote to propose amendments and cause a Notice of Proposed Amendments to appear in the *Illinois Register* before late-August 2017. This would be sufficiently in advance of the

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due date to allow the Board to accept public comments on the proposal for 45 days before acting to adopt any amendments. It would also allow 30 days from the date of a Board vote to adopt amendments for USEPA to review the amendments before they are filed with the Office of the Secretary of State.

- E) Effect on small business, small municipalities, or not-for-profit corporations: This rulemaking may affect any small business, small municipality, or not-for-profit corporation that engages in the generation, transportation, treatment, storage, or disposal of hazardous waste.
- F) Agency contact person for information: Address written comments concerning the substance of the rulemaking, noting docket number R17-15, as follows:

John T. Therriault, Clerk
Pollution Control Board
100 West Randolph Street, Suite 11-500
Chicago IL 60601

Address questions concerning this regulatory agenda, noting docket number R17-15, as follows:

Michael J. McCambridge, Attorney
Pollution Control Board
100 West Randolph Street, Suite 11-500
Chicago IL 60601

312/814-6924
Michael.McCambridge@illinois.gov

- G) Related rulemakings and other pertinent information: The USEPA Generator Improvements Rule amendments of November 28, 2016 included ancillary revisions to the federal RCRA Subtitle D Municipal Solid Waste Landfill rules. Those will be the subject of contemporaneous amendments in reserved RCRA Subtitle D update docket for the period July 1, 2016 through December 31, 2016 (R17-14) (see item (k) below). The reserved UIC update docket for the period July 1, 2016 through December 31, 2016 (R17-13) (see item (h) above) and other, as yet unknown, unrelated Board proceedings may affect any of 35 Ill. Adm. Code 702, 705, and 720. No other rulemaking that would affect any of 35 Ill. Adm. Code 35 Ill. Adm. Code 702, 703, 721 through 728, 733, and 739 is planned

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at this time. Receipt of a rulemaking proposal pursuant to 415 ILCS 5/27 and 28, however, could cause the Board to initiate a rulemaking at any time.

Section 22.4(a) of the Environmental Protection Act [415 ILCS 5/22.4(a)] provides that Title VII of the Act and Section 5 of the Administrative Procedure Act (APA) shall not apply. Because this rulemaking is not subject to Section 5 of the APA, it is not subject to First Notice or to Second Notice review by the Joint Committee on Administrative Rules. Rather, the Board will cause a Notice of Proposed Amendments to appear in the *Illinois Register*, and it will accept public comments on the proposal for 45 days after the date of publication.

j) Part (Heading and Code Citation): Underground Storage Tanks (35 Ill. Adm. Code 731)

1) Rulemaking: Docket number R17-16

A) Description: Section 22.4(d) of the Environmental Protection Act [415 ILCS 5/22.4(d)] mandates that the Board update the Illinois underground storage tank (UST) regulations to reflect amendments to the United States Environmental Protection Agency (USEPA) UST regulations. The mandate specifically excludes federal amendments relating to the design, construction, installation, general operation, release detection, release reporting, release investigation, release confirmation, out-of-service systems, and closure or financial responsibilities for USTs.

The Board has reserved docket number R17-16 to accommodate any amendments to 40 CFR 281 through 283 that USEPA may make in the period July 1, 2016 through December 31, 2016. At this time, the Board is not aware of any federal amendments to the federal UST regulations that occurred during this update period.

The Board will verify the existence of any federal actions and determine the Board action required in response to each in coming weeks, by about mid-February 2017. The Board will then propose corresponding amendments to the Illinois UST regulations using the identical-in-substance procedure or dismiss docket R17-16, as necessary and appropriate.

Section 22.4(d) mandates that the Board complete amendments within one year of the date on which USEPA adopted the earliest action upon which

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the amendments are based. Assuming for the purposes of illustration that USEPA adopted an amendment that will require Board action on the first day of the update period, on July 1, 2016, the due date for Board adoption of amendments in docket R17-16 is July 1, 2017.

- B) Statutory authority: Implementing and authorized by Sections 7.2, 22.4(d), and 27 of the Environmental Protection Act [415 ILCS 5/7.2, 22.4(d) & 27].
- C) Scheduled meeting/hearing dates: None scheduled at this time. The Board will vote to propose any amendments at an open meeting in accordance with requirements established by Sections 27 and 28 of the Act [415 ILCS 5/27 & 28]. No hearing is required in identical-in-substance proceedings.
- D) Date Agency anticipates First Notice: The Board cannot project an exact date for publication at this time. The Board expects to verify any federal actions by mid-February 2017, after which time the Board will propose any amendments to the Illinois UST regulations that are necessary in response to the federal amendments that have occurred. If the due date for Board adoption of amendments in this docket were assumed to be July 1, 2017, the Board will vote to propose amendments and cause a Notice of Proposed Amendments to appear in the Illinois Register before early-April 2017. This would be sufficiently in advance of the due date to allow the Board to accept public comments on the proposal for 45 days before acting to adopt any amendments. Alternatively, if no amendment to the Illinois regulations is needed, the Board will promptly dismiss this reserved docket.
- E) Effect on small business, small municipalities, or not-for-profit corporations: This rulemaking may affect any small business, small municipality, or not-for-profit corporation that owns or operates a UST.
- F) Agency contact person for information: Address written comments concerning the substance of the rulemaking, noting docket number R17-16, as follows:

John T. Therriault, Clerk
Pollution Control Board

POLLUTION CONTROL BOARD

JANUARY 2017 REGULATORY AGENDA

100 West Randolph Street, Suite 11-500
Chicago IL 60601

Address questions concerning this regulatory agenda, noting docket number R17-16, as follows:

Michael J. McCambridge, Attorney
Pollution Control Board
100 West Randolph Street, Suite 11-500
Chicago IL 60601

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Michael.McCambridge@illinois.gov

- G) Related rulemakings and other pertinent information: No other rulemaking that would affect 35 Ill. Adm. Code 731 is planned at this time. Receipt of a rulemaking proposal pursuant to 415 ILCS 5/27 and 28, however, could cause the Board to initiate a rulemaking at any time.

Section 22.4(d) of the Environmental Protection Act [415 ILCS 5/22.4(d)] provides that Title VII of the Act and Section 5 of the Administrative Procedure Act (APA) [5 ILCS 100/5-35, 40] shall not apply. Because this rulemaking is not subject to Section 5 of the APA, it is not subject to First Notice or to Second Notice review by the Joint Committee on Administrative Rules. Rather, the Board will cause a Notice of Proposed Amendments to appear in the *Illinois Register*, and it will accept public comments on the proposal for 45 days after the date of publication.

- k) Parts (Headings and Code Citations):

Solid Waste (35 Ill. Adm. Code 807)
Solid Waste Disposal: General Provisions (35 Ill. Adm. Code 810)
Standards for New Solid Waste Landfills (35 Ill. Adm. Code 811)
Information to Be Submitted in a Permit Application (35 Ill. Adm. Code 812)
Procedural Requirements for Permitted Landfills (35 Ill. Adm. Code 813)
Interim Standards for Existing Landfills and Units (35 Ill. Adm. Code 814)
Procedural Requirements for All Landfills Exempt from Permits (35 Ill. Adm. Code 815)

- 1) Rulemaking: Presently reserved docket number R17-14

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- A) Description: Section 22.40(a) of the Environmental Protection Act [415 ILCS 5/22.40(a)] mandates that the Board update the Illinois Resource Conservation and Recovery Act (RCRA) Subtitle D municipal solid waste landfill (MSWLF) regulations to reflect the United States Environmental Protection Agency (USEPA) amendments to the federal RCRA Subtitle D MSWLF rules.

The Board has reserved docket number R17-14 to accommodate any amendments to the RCRA Subtitle D MSWLF regulations, 40 CFR 258, that USEPA may make in the period July 1, 2016 through December 31, 2016. At this time, the Board is aware of one federal action during this update period that affected the federal RCRA Subtitle D Municipal Solid Waste Landfill regulations. That action, and the Board action in response, is described as follows:

November 28, 2016 (81 Fed. Reg. 85732): USEPA adopted the Hazardous Waste Generator Improvements Rule, which revised various requirements applicable to generators of hazardous waste. USEPA included limited ancillary revisions to the MSWLF rules as they relate to very small generator waste. The Board must make corresponding changes in the various pertinent State requirements.

The Board will verify the existence of any federal actions that may affect the text of the federal RCRA Subtitle D MSWLF regulations and determine the Board action required in response to each in coming weeks, by about mid-February 2017. The Board will then propose corresponding amendments to the Illinois RCRA Subtitle D MSWLF regulations using the identical-in-substance procedure or dismiss docket R17-14, as necessary and appropriate.

Section 22.40(a) mandates that the Board complete amendments within one year of the date on which USEPA adopted the earliest action upon which the amendments are based. Since USEPA adopted an amendment that will require Board action on November 28, 2016, the due date for Board adoption of amendments in docket R17-14 would be November 28, 2017.

POLLUTION CONTROL BOARD

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- B) Statutory authority: Implementing and authorized by Sections 7.2, 22.40(a) and 27 of the Environmental Protection Act [415 ILCS 5/7.2, 22.40(a) & 27].
- C) Scheduled meeting/hearing dates: None scheduled at this time. The Board will vote to propose any amendments at an open meeting in accordance with requirements established by Sections 27 and 28 of the Act [415 ILCS 5/27 & 28]. No hearing is required in identical-in-substance proceedings.
- D) Date Agency anticipates First Notice: The Board cannot project an exact date for publication at this time. The Board expects to verify any federal actions by mid-February 2016, after which time the Board will propose any amendments to the Illinois RCRA Subtitle D MSWLF rules that are necessary in response to the federal amendments that have occurred. If the due date for Board adoption of amendments in this docket is November 28, 2017, the Board will vote to propose amendments and cause a Notice of Proposed Amendments to appear in the Illinois Register by mid-September 2017. This would be sufficiently in advance of the due date to allow the Board to accept public comments on the proposal for 45 days before acting to adopt any amendments.
- E) Effect on small business, small municipalities, or not-for-profit corporations: This rulemaking may affect any small business, small municipality, or not-for-profit that engages in the land disposal of municipal solid waste.
- F) Agency contact person for information: Address written comments concerning the substance of the rulemaking, noting docket number R17-14, as follows:

John T. Therriault, Clerk
Pollution Control Board
100 West Randolph Street, Suite 11-500
Chicago IL 60601

Address questions concerning this regulatory agenda, noting docket number R17-14, as follows:

POLLUTION CONTROL BOARD

JANUARY 2017 REGULATORY AGENDA

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- G) Related rulemakings and other pertinent information: No other rulemaking that would affect any of 35 Ill. Adm. Code 807 and 810 through 815 is planned at this time. Receipt of a rulemaking proposal pursuant to 415 ILCS 5/27 and 28, however, could cause the Board to initiate a rulemaking at any time.

Section 22.40(a) of the Environmental Protection Act [415 ILCS 5/22.40(a)] provides that Title VII of the Act and Section 5 of the Administrative Procedure Act (APA) shall not apply. Because this rulemaking is not subject to Section 5 of the APA, it is not subject to First Notice or to Second Notice review by the Joint Committee on Administrative Rules. Rather, the Board will cause a Notice of Proposed Amendments to appear in the *Illinois Register*, and it will accept public comments on the proposal for 45 days after the date of publication.

PROCLAMATIONS

2016-318**Appellate and Circuit Court Judges (Revised)**

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. Wexsten.

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;

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;

PROCLAMATIONS

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;

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;

PROCLAMATIONS

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;

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

PROCLAMATIONS

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
Brad Paisley

Fourth Judicial Circuit – Fayette County

To fill the vacancy of the Honorable S. Gene Schwarm
Don Sheafor Jr.

Fifth Judicial Circuit – Cumberland County

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

Sixth Judicial Circuit – DeWitt County

PROCLAMATIONS

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

PROCLAMATIONS

Jodi M. Hoos

Eleventh Judicial Circuit

To fill the vacancy of the Honorable Charles G. Reynard
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

PROCLAMATIONS

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
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

PROCLAMATIONS

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

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

PROCLAMATIONS

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

PROCLAMATIONS

Cook County Judicial Circuit – Ninth Subcircuit

To fill the vacancy of the Honorable Andrew Berman
Jerry Esrig

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

PROCLAMATIONS

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.

ILLINOIS ADMINISTRATIVE CODE
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